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MADRAS RECORD OFFICE

1869

PROCEEDINGS

OF THE

MADRAS GOVERNMENT

IN THE

POLITICAL DEPARTMENT.

FOR THE YEAR 1869.

(IN FOUR VOLUMES.)

VOL. III.

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1869.

RECORD OFFICE MADRAS

A.

POLITICAL DEPARTMENT.

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POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of July 1869.

No. 1. Read the following Proceedings of the Government of India, Financial Department, dated Simla, 15th June 1869, No. 1140.

Read endorsement of the Foreign Department, No. 197, dated 19th May 1869, on an application from the Government of Fort Saint George, for the grant to Papa Bee, daughter of the late Dowlut Bee, a pensioner in the Kurnool district, of a charitable pension of Rupees 10 a month out of the lapsed pension of her late mother.

RESOLUTION.—The grant of the proposed allowance is sanctioned with effect from the 23rd February 1869, the date of Dowlut Bee's death.

ORDER.—Ordered that the foregoing Resolution be communicated to the Foreign Department and the Accountant General, Madras.

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt of India.

No. 234.

Copy forwarded to the Government of Fort Saint George, with reference to their Chief Secretary's letter, No. 141, dated 27th April 1869.

(By order, &c.),
(Signed) C. GIRDLESTONE,
Offg. Under Secy. to the Govt. of India.

SIMLA, FOREIGN DEPARTMENT,
FINANCE, 18*th June* 1869.

No. 2. ORDER THEREON, 6th July 1869, No. 218.

Communicated to the Collector of Kurnool, with reference to his letter, dated the 10th April last, No. 104.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 3. Read the following letter from His Excellency M. BONTEMPS, Governor of the French Settlements in India, to His Excellency the Right Honourable the Governor of the Presidency of Fort Saint George, Madras; dated Pondicherry, 18th June 1869, No. 4.

(*Translation*).

Respecting the payment of a sum of Rupees 11,502, being the balance of the annual allowance for India, Account of 1865.

In reply to your letter of the 14th instant, I have the honour to acquaint your Excellency that I would wish the sum of Rupees 11,502 to be paid to my Government through the channel of the Collector of Cuddalore. The amount will be drawn, if possible, when payment is obtained of the sum accruing as the second

instalment of that portion of the annual allowance for India, which is assigned to the Pondicherry Treasury. This payment will be obtained in the early part of July, but, before applying for it, I shall wait that your Excellency may inform me of your acquiescence in this arrangement.

(True translation).

(Signed) J. W. LYONS,
French Translator.

2nd July 1869.

No. 4. ORDER THEREON, 6th July 1869, No. 219.

Ordered that a copy of the foregoing letter be furnished to the Accountant General, with reference to his letter, dated the 7th ultimo, No. 75, and that His Excellency M. Bontemps be informed that the Accountant General has been instructed to arrange for the payment of the sum of Rupees 11,502, at the same time as the second instalment of the annual allowance.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 5. To His Excellency M. BONTEMPS, Governor of the French Settlements in India, Pondicherry; dated Fort Saint George, 6th July 1869, No. 220.

In reply to your letter dated the 18th ultimo, No. 4, I have the honour to acquaint your Excellency that the Accountant General, Madras, has been instructed to arrange for the payment of the sum of Rupees 11,502 from the Cuddalore Treasury at the same time as the second instalment of the annual allowance.

Accept, Sir, &c.
(Signed) NAPIER.

No. 6. Read the following letter from Colonel R. S. WILSON, Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 5th July 1869, No. 235.

I have the honour to forward herewith, for the orders of Government, letter addressed to me by Sir Shurf-ool-Omrah Bahadoor, dated 18th June 1869, concerning the re-payment of his debt of Rupees 20,000 to the Bank of Bengal. It will be seen that Sir Shurf-ool-Omrah states that, on the intercession of Sir Salar Jung Bahadoor, the bank has agreed to receive instalments of Rupees 800 per mensem in liquidation of the debt, and these instalments Sir Shurf-ool-Omrah wishes to be paid direct from this office to the Bank of Madras on account of the Bank of Bengal. In Sir Shurf-ool-Omrah's letter, however, nothing is said as to the security to be given for the continuance of these payments till the whole debt shall have been liquidated, and this is a point on which the bank insists. I beg, therefore, to know, first, whether Government desire that the payments in question shall be made direct from this office as requested by Sir Shurf-ool-Omrah; and, secondly, whether these payments are to be continued only so long as the stipend from which they are made shall continue to be drawn, or whether they are to be continued till the whole amount of the debt is liquidated. On receipt of your reply to these questions I will communicate the decision of Government to Sir Shurf-ool-Omrah.

2. In the event of these questions being satisfactorily arranged, I beg to submit that Sir Shurf-ool-Omrah has requested an extension of leave, which it is of much importance to him to obtain. In September next he will have been absent on leave two and a half years. The utmost extent of leave the Chepauk Agent has the power to grant is three years. I, therefore, mention the subject now, in case Government should be pleased to grant an extension of leave in excess of the rules. Sir Shurf-ool-Omrah's application is for an extension of three years.

From Sir SHURF-OOL-OMRAH BAHADOOR, K.C.S.I., to Colonel R. S. WILSON, Government Agent, Chepauk; dated Hyderabad, 18th June 1869.

According to my promise, contained in my telegram to you of yesterday's date, I beg to state, for the information of His Excellency the Governor in Council of Madras, that Mr. Keay, Agent

of the Bank of Bengal at Hyderabad, called on me on the Bukreed festival day, on which you are fully aware of the performance of the usual prayer and other ceremonies according to the custom observed amongst the Mahomedan community, consequently I was not able to see him; but, however, I wrote a letter to him on the subject of my transaction to the Bank of Bengal at Allahabad, informing him that, as the Agent of the Bank at Calcutta applied to the Madras Government for the settlement of my affairs with the bank consequently I was in communication with the Government on the subject through the Chepauk Agent who is fully aware of my ready intention towards the liquidation of my debts to the bank, and waiting for the order of Government, I felt it was not proper for me to speak to him on the aforesaid subject; but Mr. Keay, being not content with my explanation, addressed a letter to His Excellency Sir Salar Jung Bahadoor on the 26th April 1869, enclosing copy of the letters which he received from Bengal quoted in the margin, and requesting His Excellency to hear the claims of the bank against me himself, or allow him (Mr. Keay) to file a suit in the Courts of Justice at Hyderabad. His Excellency forwarded to me the letter of Mr. Keay above alluded to for reply, which I did on the 7th May 1869, and, after numerous correspondence being passed between His Excellency, Mr. Keay, and myself, His Excellency has kindly decided that I should pay 800 Rupees a month to the bank from the 1st of July next, which decision you will observe in the appendix was approved of by Mr. Keay, and as soon as the above said decision was known to me I lost no time to send a telegram to Kisten Doss and Doorka Doss on the 15th instant, desiring him to pay 800 Rupees monthly to the bank through you. I beg to draw your attention to my letter to your address of the 25th January 1869, wherein I already requested you to deduct a portion monthly out of my pension according to your discretion and pay the same to the bank.

Copy of a letter from the Officiating Secretary and Treasurer of the Bank of Bengal, dated 16th April 1869.
Copy of a letter from the Assistant Secretary to the Government of India, dated 6th April 1869.

2. I cannot understand clearly by what motives the officials of the bank have been induced to prefer a complaint against me for one case simultaneously both to the Government and Sir Salar Jung Bahadoor.

3. I have forwarded a letter to your address of the 14th instant to Kisten Doss and Doorka Doss with a request to deliver the same to you, which I hope he would have done in due time, and you also will find a copy of it in the appendix.

4. I am quite ready to bow cheerfully to whatever decision may be passed by Government on a re-consideration of my case.

From Sir SHURF-OOL-OMRAH BAHADOOR, K.C.S.I., to J. S. KEAY, Esq., Agent of the Bank of Bengal, Chudderghaut; dated Hyderabad, 29th March 1869.

I am very sorry for my inability to see you when you called to my residence on Thursday last, the 25th instant. My relative, Hafiz Sudrool Islam Khan Bahadoor, has delivered your message to me touching my transactions with the Bank of Bengal at Allahabad. In reply thereto I beg to inform you that, as the Agent of the Bank at Calcutta applied to the Madras Government for the settlement of my affairs with the bank, consequently I am now in communication with the Government on the subject through the Chepauk Agent, who is fully aware of my ready intention towards the liquidation of my debts to the bank.

2. Waiting for the order of Government I feel it is not proper for me to speak to you on the aforesaid subject.

From Sir SALAR JUNG BAHADOOR, to J. S. KEAY, Esq., Agent of the Bank of Bengal; dated Hyderabad, 7th June 1869.

With reference to your letter of the 4th instant, No. 58, I beg to inform you that as Sir Shurf-ool-Omrah is labouring under great pecuniary embarrassments, I do not think he will be able to apportion so large a sum as Rupees 1000 towards the payment of the bank's claims. If you, therefore, are willing to take 800 Rupees a month, I shall endeavour to arrange the matter with Shurf-ool-Omrah. I think this is the best arrangement I could make, as you do not point out what assets, besides his allowance, Sir Shurf-ool-Omrah possesses.

Please return S. O.'s letter to my address.

From Sir SALAR JUNG BAHADOOR, to Sir SHURF-OOL-OMRAH BAHADOOR, K.C.S.I.; dated Hyderabad, 12th June 1869.

I beg to enclose for your information copies of the correspondence which has passed between the Agent of the Bank of Bengal at Hyderabad and myself.

2. I shall be obliged by your kindly letting me know whether you have any objections to the conditions required by Mr. Keay, that instalments of 800 Rupees per month shall be paid in liquidation of your debt to the bank "by the amount being deducted by Government from your pension before payment."

From Sir SHURF-OOL-OMRAH BAHADOOR, K.C.S.I., to Sir SALAR JUNG BAHADOOR; dated Hyderabad, 14th June 1869.

In acknowledging receipt of your Excellency's letter of the 12th instant giving cover to copies of the correspondence which has passed between yourself and Mr. Keay, Agent of the Bank of Bengal at Hyderabad, I beg to offer you, most heartfelt thanks for the trouble taken by you for settling my affairs with the bank. I have no objection to the conditions required by Mr. Keay, and will write by this day's post to Colonel R. S. Wilson, Government Agent and Paymaster of Carnatic Stipends, Chepauk, for deducting the sum of 800 Rupees per month, as you desire, out of my pension from the 1st of next month (July) and pay the same to the Agent of the Bank at Madras in liquidation of my debt to the bank. I do not doubt that the Chepauk Agent will be kind enough to inform the Government of this arrangement.

From Sir SHURF-OOL-OMRAH BAHADOOR, K.C.S.I., to Colonel R. S. WILSON, Government Agent and Paymaster of Carnatic Stipends, Madras; dated Hyderabad, 14th June 1869.

I beg to acknowledge receipt of your letter of the 13th May 1869 giving cover to copy of Proceedings of Government, No. 150, dated 4th May 1869, and, in reply thereto, I herewith enclose a copy of my letter to the address of Sir Salar Jung Bahadoor of this date, and beg you will be pleased to subtract the sum of 800 Rupees a month from my pension from the 1st of next month (July) and pay the same to the Agent of the Bank of Bengal at Madras in liquidation of my debt to the bank.

No. 7. ORDER THEREON, 8th July 1869, No. 222.

With reference to the letter above recorded, the Government see no objection to the Government Agent, Chepauk, deducting Rupees 800 from the stipend of Sir Shurf-ool-Omrah Bahadoor and paying that amount to the Bank of Madras to the credit of the Bank of Bengal, in liquidation of the debt of Rupees 20,000 which is owing to that bank by Sir Shurf-ool-Omrah.

2. These payments will, of course, continue to be made only so long as Sir Shurf-ool-Omrah draws his stipend; but, in the event of his death before the whole amount of the debt to the Bank of Bengal is paid, the Government will not in any way be responsible for any further payment on account of this claim.

3. The Government see no objection to leave for three years to Hyderabad being granted to Sir Shurf-ool-Omrah.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 8. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 8th July 1869, No. 223.

In continuation of my letter dated the 12th April last, No. 116, I am directed to transmit a copy of the Proceedings of the Madras Government, No. 222, from which it will be seen that arrangements have been made for the deduction of Rupees 800 per mensem from the stipend of Sir Shurf-ool-Omrah, and for the payment of that amount to the Bank of Madras to the credit of the Bank of Bengal in adjustment of the debt of Rupees 20,000.

2. The payments will be continued only so long as Sir Shurf-ool-Omrah draws his stipend. In the event of his death before the whole amount of the debt is paid, this Government will not be responsible for any further payment to the Bank of Bengal.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 9. Read the following Proceedings of the Government of India, Financial Department, dated Simla, 16th June 1869, No. 1231.

Read endorsement of the Foreign Department, No. 205, dated 2nd June 1869, on an application from the Government of Fort Saint George for the grant of a charitable allowance of Rupees 2-8-0 per mensem, for life, to each of the two daughters-in-law of late Ali Madat Khan Khoishgi, of Kurnool, a Mutafarrikut pensioner.

RESOLUTION.—The proposed allowances are sanctioned with effect from the 4th March 1869, (the date of Ali Madat Khan Khoishgi's death,) and on the condition mentioned by the Government of Fort Saint George, viz., that the two daughters-in-law will maintain the grandson of the deceased until he attains the age of eighteen years.

ORDER.—Ordered that the foregoing resolution be communicated to the Foreign Department, and the Accountant General, Madras.

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt. of India.

No. 244.

Copy forwarded to the Government of Fort Saint George with reference to their Chief Secretary's letter, No. 159, dated 10th May 1869.

By order, &c.

SIMLA, FOREIGN DEPARTMENT,
FINANCE, *24th June* 1869.

(Signed) C. GIRDLESTONE,
Offg. Under Secy. to the Govt. of India.

No. 10. ORDER THEREON, 8th July 1869, No. 224.

Communicated to the Collector of Kurnool with reference to his letter dated the 2nd April last, No. 88.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 11. Read the following petition from SREE VURDARAZ BUNGE, son of the late ex-Zemindar of Goomsoor, to the Chief Secretary to Government, Fort Saint George; dated Berhampore, 19th June 1869.

I, Sree Vurdaraz Bunge, the late Rajah of Goomsoor, after having obtained the permission of the Government, arrived at Berhampore, and desired my agent to institute an inquiry about the selection of a bride among my own tribe.

2. My agent having tried his utmost power among the Zemindars of Sonapore in the district of Samalpore, of Patna, and of Garasingha, caused their representatives to pay a visit to Mr. D. F. Carmichael while he was on circuit at Russelcondah.

3. The people of the said Zemindars expressed to the said Governor's Agent "that Sree Vurdaraz Bunge, the Rajah of Goomsoor, is related to us, and we have not the slightest objection to make a matrimonial alliance with him, provided the Government has the favour to restore him to his estate."

4. Upon which the Governor's Agent stated that it would be strange to grant him back his estate, and asked them whether they would get Sree Vurdaraz Bunge Garu's marriage celebrated, if the Government permit him to reside at Berhampore. Two out of the above mentioned three Zemindars denied to contract a matrimonial alliance with him, as he has no landed estate.

5. But my agent soliciting the Garasingha Zemindar on the subject-matter, he consented to the point that if I produce the Government Order allowing my marriage to be celebrated at Goomsoor, and permitting me to have my residence at Berhampore.

6. Upon these circumstances, I requested Mr. D. F. Carmichael, in the presence of Mr. Ellis, the present Acting Governor's Agent, that I would follow him to Madras and represent the case personally to the Government; but he said that I need not pursue him, and he would make a mention of everything to the Government.

7. I have received, through the Government Agent of Ganjam, a copy of the translation of the Government Proceedings, No. 131, under date 20th April 1869, stating that Sree Vurdaraz Bunge Garu should return to Madras, in case his marriage was not celebrated.

8. My early circumstances were well-known both to the Almighty and the people. But by the clemency of the present Government, I believe my marriage will be celebrated; thus it has been proclaimed in different parts of the world; and the people of this district, from the young to the old, take a delight in my welfare, which can be ascertained and tested by asking the people of this district and of Goomsoor to produce a mahazarnama to that effect.

9. If I were to make my residence at Berhampore no disturbances and disadvantages would ever occur to the Government.

10. As this being the rainy season, and there are no dates for celebration of marriage mentioned in the Hindu local calendar, according to the Hindu law, up to the end of November next, I shall proceed to Benares, according to the political orders of Government, dated 26th June 1867, and after having performed the religious rites of my stepmother, and returned to Berhampore, if the Government permit me to reside at Berhampore, I shall undertake to have my marriage celebrated, otherwise I shall be at Madras as usual. Believe me that I am always loyal to the Government.

No. 12. ORDER THEREON, 8th July 1869, No. 225.

With reference to the petition above recorded, His Excellency the Governor in Council resolves to instruct the Agent in Ganjam to send for Sree Vurdaraz Bunge, and inform him that under no circumstances will his ancestral estate be restored to him, nor will he be allowed to reside at Berhampore, or in any other part of the Ganjam district.

2. The Agent will further distinctly inform Sree Vurdaraz Bunge that he will not be allowed to proceed to Benares, as he proposes, from Berhampore, but that he must return to Madras within such time as may appear to the Agent reasonably sufficient to enable Sree Vurdaraz Bunge to celebrate his marriage. After the return of Sree Vurdaraz Bunge to Madras, if he should still desire to go to Benares his application for leave will be considered.

3. The Agent to the Governor in Ganjam will report the period of further residence at Berhampore which he has fixed as necessary to enable Sree Vurdaraz Bunge to get married, and he will, on the expiration of this period, take the necessary steps for his return to Madras.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 13. From H. NEWILL, Esq., Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 11th December 1866, No. 76.

From the Dewan of Cochin, to Resident, No. 555, dated 18th August 1862.
From the Collector of Malabar, to Resident, No. 2911, dated 20th August 1864.
From the Dewan of Cochin, to Resident, No. 675, dated 5th October 1866.
From the Collector of Malabar, to Resident, No. 3139, dated 1st December 1866.

I have the honour to submit, for the consideration and orders of His Excellency the Right Honourable the Governor in Council, copy of correspondence noted in the margin relative to a village named Tekamungalum Deshom, appertaining to the territory of His Highness the Rajah of Cochin but situated on the north bank of the Ponany river, the management of which the Cochin Sirkar is anxious to resume.

2. This Deshom appears originally to have been claimed by the British Government, who subsequently admitted (in $\frac{986 \text{ M. E.}}{1811 \text{ A. D.}}$) the rights of the Sirkar, though it was placed under the management of the Collector of Malabar owing to its situation offering great facilities for smuggling tobacco.

3. It is now urged by the Cochin Sirkar that as both the British and Cochin Governments have abolished the tobacco monopolies in their several territories, there are no longer any valid reasons for the management of the village being left in the hands of the British Government, when it can be undertaken by the Sirkar at a smaller cost to the State than is incurred at present.

4. It is also asserted that the Sirkar is subjected to an annual loss of revenue in consequence of the full (Cochin) assessment not being levied.

5. My predecessor, Mr. Fisher, addressed the Collector of Malabar requesting to be favoured with his sentiments on the subject. Mr. Ballard, in admitting the rights of the Cochin Government to the Deshom, (vide his letter,* copy herewith,) is of opinion that the present arrangement under the British management having existed for upwards of half a century, renders it very desirable that it should be continued, or that some other arrangement should be made to admit of its continuing under British management.

* No. 2911, dated 20th August 1864.

6. The Cochin Sirkar is still very desirous to resume the management of the Deshom in question, and I am, therefore, induced to submit the matter for the orders of Government.

From the Dewan of Travancore and Cochin, to W. FISHER, Esq., British Resident in Travancore and Cochin ; dated Cochin, 11th August 1862, No. 555.

At a late meeting between His Highness the Rajah and yourself, His Highness requested that you will be so good as to take measures for the restoration to this Sirkar of a village named "Tekamungalum Deshom" belonging to it, but situated on the northern or Malabar side of the Ponany river.

Letter from Dewan to Resident, dated				11th October 1831.	
Do.	do.	do.	,,	20th ,,	,,
Do.	do.	do.	,,	16th December	,,
Do.	from Resident to Dewan,		,,	19th ,,	,,
Do.	from do.	do.	,,	21st ,,	,,
Do.	from Dewan to Resident,		,,	9th January 1832.	
Do.	from Resident to Dewan,		,,	30th ,,	,,

2. This Deshom was claimed and taken possession of by the British Government in the year 986 M. E. ; but, after some correspondence, the Madras Government decided that it should be restored to this Sirkar together with 480 Star Pagodas, the amount of revenue collected therein from 986 to 989 M. E., both inclusive.

3. In consequence, however, of the position of this Deshom, which is bounded on three sides by British territory, the Collector of Malabar was desirous of retaining the management of the

village, and that a sum, equal to the revenue derived therefrom, should be deducted from the subsidy payable by this Sirkar to the Honourable Company. His Highness the then Rajah, however, was unwilling to accede to this proposal, his dominions having already become so circumscribed as to render him loth to part with any portion of his remaining territory, and expressed his desire, therefore, to be put in possession of the village.

4. This has never been done although the abovementioned sum of 480 Star Pagodas and portions of the revenue due in subsequent years have been paid to this Government.

5. The principal object of the arrangement proposed by the Collector of Malabar was to prevent the smuggling of tobacco out of this village into the adjacent British territory. Now, however, that the tobacco monopoly has been abolished both by the British and Cochin Governments, the continuance of this arrangement is not only no longer necessary but is productive of loss to this Sirkar, as it entails the necessity of a separate establishment for the collection of the revenue, which can be collected by the Sirkar officers of the Talapilly district, to which it belongs. This charge amounts annually to Rupees 162.

6. Besides this, however, the Sirkar is sustaining annually a further and a much greater loss from the non-collection by the British authorities of the full amount of rent due, agreeably to the assessment of this Sirkar, on the lands and gardens therein situated. This loss, inclusive of the expenses of the extra establishment, amounts up to the present year to the large sum of 72,000 and odd gold fanams, or upwards of 20,000 Rupees.

7. Under the circumstances above explained I beg that you will be so good as to adopt such measures as you may deem necessary for the restoration to this Sirkar of the management of the affairs of the Deshom in question.

From G. A. BALLARD, Esq., Collector of Malabar, to H. NEWILL, Esq., Resident in Travancore and Cochin ; dated Calicut, 20th August 1864, No. 2911.

Adverting to Mr. Fisher's letter of the 19th September 1862 I have the honour to observe that, after various inquiries into the question of the claim of the Cochin Sirkar to Tekamungalum, that claim was recognized by the Madras Government in 1831-32; but on several considerations it was agreed that, as a formal territorial cession of the village to the British Government in lieu of an equivalent remission in the Cochin subsidy, as was proposed, did not appear agreeable to the then Rajah of Cochin, the village should remain under British management, and the amount of revenue realized should be paid over to the Cochin treasury.

2. This arrangement has since continued, and, though one reason why the village should continue under British management (as it has now been for upwards of half a century) has passed away, the fact that the present arrangement has continued so long seems to me to render it very desirable that that arrangement should continue, or that some other should be made that will admit of this isolated bit of territory continuing under British rule.

3. I beg to apologize for the delay that has taken place in replying to Mr. Fisher's letter.

From the Dewan of Travancore and Cochin, to H. NEWILL, Esq., British Resident of Travancore and Cochin ; dated Ernacollum, 5th October 1866, No. 675.

I have the honour to acknowledge the receipt of your letter, No. 1642, of the 2nd instant, and, with reference to your previous letter, No. 1606, dated 14th October 1864, and to its accompaniment, copy of a letter from the Collector of Malabar, No. 2911, of the 20th August of that year, to state that the Sirkar is very desirous of having the management of the affairs of the Tekamungalum Deshom restored to it, and, as the Collector of Malabar has advanced no sufficient grounds

for retaining the management, and as such retention as I have already explained in my letter to your predecessor, No. 555, of the 11th August 1862, occasions both inconvenience and loss to this Sirkar, I beg again to request that you will be so good as to adopt such measures as you may deem requisite for the restoration to the Sirkar of the said Deshom.

From G. A. BALLARD, Esq., Collector of Malabar, to H. NEWILL, Esq., Resident of Travancore and Cochin; dated Calicut, 1st December 1866, No. 3139.

I have the honour to acknowledge receipt of your letter of the 24th October last. I think that the nature of my objections to the change in the administration of Tekamungalum is sufficiently put forth in my former letter; but I may add that the Railway station at Lackady and a portion of the line are constructed within the Tekamungalum Deshom.

2. Should Government on your representation think fit to call for a more detailed expression of my views, it will be for me then to state them.

3. I hope I need not say that I adopt this course from no discourteous feeling to you or to the Dewan; but simply because I think that, if further discussion of the question is required, it will more appropriately take place after orders from my Government.

Referred to the Collector of Malabar for report.

FORT SAINT GEORGE, (Signed) A. J. ARBUTHNOT,
28th January 1867. *Chief Secretary.*

No. 14. From G. A. BALLARD, Esq., Collector of Malabar, to the Acting Chief Secretary to Government, Fort Saint George; dated Calicut, 25th July 1867, No. 85.

With reference to the Chief Secretary's endorsement, dated 28th January 1867, on a letter from the Resident in Travancore and Cochin, dated 11th December 1866, No. 76, I have the honour to submit the following remarks on the village or Deshom of Tekamungalum, on the confines of Cochin and Malabar.

2. There seems no doubt that the village was granted by Tippoo Sultan to the Rajah of Cochin; that the grant was confirmed by the British Commissioners appointed to settle the affairs of Malabar in 1792; and that the village was in possession of the Cochin Government till 1810-11, when the then Collector assumed it as belonging to Malabar.

For some four years revenues were collected by the British authorities; but in consequence of the remonstrances of the Rajah, the demand was discontinued, and the question of right was left for settlement by the Commissioners appointed in 1815 to settle the boundaries between Malabar and Cochin.

3. The Commissioners' inquiries went to establish the claims of the Cochin Government; but for no very clear or adequate reasons the question seems to have lain in abeyance till 1825, no revenue being demanded by either Government in the interim.

4. In 1831, in reviewing the case, the Board of Revenue observed, "It seems proper, therefore, that this claim (*i.e.*, the claim of the Cochin Government to 'the village and its dependencies') should be recognized, and that the collections made under Mr. Warden's management, amounting to Pagodas 480, should be paid to that State. But adverting to the insulated situation of the village in question, its commanding position on the right bank of the great Ponany river, and the facility it would afford to the smuggling trade, particularly in tobacco, if it were annexed to Cochin, the Board concur with Mr. Warden, Mr. Vaughan, and Mr. Sheffield in considering it desirable that an arrangement should be made for retaining possession of it, and that a remis-

" sion equivalent to the revenue which it is capable of yielding should be granted in the amount " of subsidy payable by the Cochin State."

5. Government approved of the Board's proposition, sanctioned the payment of Pagodas 480 (collections under Mr. Warden from 1810-11 to 1815-16) to the Cochin State, and requested the Resident to effect the arrangement suggested by the Board as above quoted.

Meantime, with a view to prevent further loss of revenue, the village, with the concurrence of the Rajah, had been placed under the Principal Collector of Malabar on the understanding that the collections were to be held in deposit till a final decision was arrived at.

6. In due course the Resident reported that he had conferred with the Rajah, but that the latter was quite averse to any formal relinquishment of the village. The Resident, however, suggested that, both with a view to prevent tobacco-smuggling and also to save the people from the evils which (he anticipated) would under the circumstances follow a transfer from British to Cochin rule, the village should remain without any formal territorial transfer under British authority, the revenues derivable from it being paid to the Cochin Sirkar. This course he observed " would afford relief to the Rajah's scruples," whilst it would obviate the difficulties attendant on a change of authority.

7. This course was adopted.

The village has since been managed as an integral part of Malabar, the collections only being remitted annually to the Cochin Government.

8. The area in all is believed to be between one and two square miles, with cultivation as under :—

Wet acres.	Garden acres.	Dry acres.	Total.
288	101	135	524

The population is returned at 1285 souls.

The net revenue is Rupees 815, which is assessed on the Cochin Sirkar system.

The charges of collection amount to Rupees 162 per annum as noted.

	RS.
Pay of an Adigari, at 5 Rupees per month............	60
Do. of a Menon, at 6 Rupees do.	72
Do. of a Kolkar, at 2 Rupees 8 Annas per month, ...	30
	62

9. The Dewan states that his Government is put to a charge of Rupees 162 annually through British management, and that a much greater loss is caused by the non-collection by the British authorities of the full amount of rent due according to the assessment of the Sirkar.

He estimates the loss to the present time at some Rupees 20,000.

He also writes " portions of the revenue in subsequent years (*i. e.*, after British assumption) have been paid to this (Cochin) Government." I have to remark that all the revenues save the acknowledged charges have been paid, and that, from the time that the British Government undertook the superintendence to the late reference, no intimation has been received that increased demand should be made, or indeed any communication passed on the subject of the management of the village.

10. The Dewan, however, now observing that the tobacco monopoly has been abolished, and the loss is caused to the Sirkar by the retention of the village under British management, desires its re-transfer to his Government.

11. I have thought it right to give the long statement above to enable Government at a glance to judge of the antecedents and position of the question. When the management was made over in 1832 there was no definite stipulation either that it should be perpetual or should be at any time relinquished. But as the right of the Cochin Sirkar to the tract of country was distinctly acknowledged, I conceive that, if the claim is pressed, it must be acceded to.

12. But I would observe that, as under the present enlightened administration of Cochin, no one would anticipate such evils from a transfer in 1867 as the then Resident, perhaps with some justice, did anticipate in 1832, so we may look for a consideration of the question now, unbiassed by the false pride and unreasoning determination to part with no portion of territory, however petty, though strong arguments may exist in favour of doing so, which certainly seem to have beset the question then.

13. The reasons for allowing the territory to remain under British management are so obvious, that they seem to me to require no more than mention.

The isolated square mile or two comprising the village lies on the north bank of a great natural feature, the Ponany river, which at this portion of its course forms the boundary between Malabar and Cochin for some distance.

The position, therefore, of Tekamungalum assigns it to Malabar.

It has been under British administration for upwards of half a century, and change would be distasteful to the people.

The Railway station of Lackady lies in it, and the railway traverses it for about two miles.

Legal difficulties, which would practically be very inconvenient, might arise if the criminal jurisdiction were transferred to Cochin.

14. I cannot but think that if Government approves of the arrangement, the Cochin Sirkar will be able to see its way either to a territorial exchange where no objection exists on either side, or to the acceptance of a money compensation.

No. 15. From G. A. BALLARD, Esq., Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 30th June 1869, No. 58.

From the Dewan of Cochin, to Resident, No. 555, dated 15th August 1862.
From the Collector of Malabar, to Resident, No. 2911, dated 20th August 1864.
From the Dewan of Cochin, to Resident, No. 675, dated 5th October 1866.
From the Collector of Malabar, to Resident, No. 3139, dated 1st December 1866.
From the Resident, to Chief Secretary, No. 76, dated 11th December 1866.

Adverting to the correspondence noted, much that have passed before, and the demi-official correspondence that has passed intermediately, I have the honour to enclose copy of an official letter, No. 394, of the 26th instant, from the Dewan of Cochin, expressing the willingness of the Sirkar to exchange its village of Tekamungalum for two outlying bits of Malabar, Porkolum and Kotta.

2. I may briefly remark that Tekamungalum is a small tract lying on the north of the Ponany river, isolated in Malabar; that the Sirkar's right to the village is unquestionable, but that, for administrative convenience, it has always been under the Malabar Collectorate; that the Sirkar has several times expressed its desire to resume direct management; that the transfer of the village would be undesirable on many accounts; that the Sirkar was, and is, unwilling to accept a money equivalent, and, consequently, that an exchange of territory becomes necessary if Tekamungalum is to be retained as an integral part of Malabar.

3. Sundry propositions have been made on either side; but the Madras Government has decided that Porkolum and Kotta are the most eligible portions of Malabar to transfer, and the Sirkar has now intimated its willingness to accept these, agreeing " not to raise the assessment " on the lands in the said villages above what is now paid to the British Government by the pro- " prietors and ryots without the special sanction of the Government except in case of waste lands, " which it will, of course, be necessary to assess as they are brought into cultivation, and of lands " in process of reclamation which will be assessed according to the terms of Cowle Deeds granted " by the British Government."

4. The subjoined statement shows the valuations, &c., of the lands in question :—

		No. of houses.	Population.	Wet.		Dry.		Garden.		Total.	
				Acreage.	Assessment.	Acreage.	Assessment.	Acreage.	Assessment.	Acreage.	Assessment.
					RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.
Tekamungalum	British..	242	1,485	290	622 9 8	102	69 12 1	105	94 10 0	497	786 15 9
	Sirkar...	...	...	348	1,324 3 9	572	....	230	124 12 7	1,150	1,449 0 4
Porkolum........	British..	182	1,116	309	1,171 4 8	About 100 acres.	Varies according to cultivation of the year, but is small.	About 100 acres.	290 2 2	...	1,461 6 10
	Sirkar...	...	...	324	1,091 10 7	124	9 5 2	200	89 6 10	648	1,190 6 7
Kotta...............	British..	46	235	76	375 8 3	About 100 acres.	Varies according to cultivation of the year, but is small.	About 100 acres.	57 11 4	...	433 3 7
	Sirkar...	...	...	87	290 4 0	81	3 9 2	42	8 2 7	210	301 15 9

As the exchange is agreeable to either side, it is not necessary to discuss the difference in valuation.

5. It only remains for the necessary orders to be issued to the Collector of Malabar, and these, I hope, Government may be pleased to issue at an early date.

From the Dewan of Travancore and Cochin, to G. A. BALLARD, Esq., British Resident of Travancore and Cochin ; dated Ernacollum, 26th June 1869, No. 394.

With reference to the correspondence noted in the margin and the demi-official correspondence which has since taken place on the subject, I have the honour to inform you that the Cochin Sirkar is willing to exchange the Tekamungalum Deshom for the villages of Porkolum (including Toorutticand) and Kotta, outlying portions of the Ponnary taluq, and situated within the Tallapilly district.

From the Dewan to Resident, No. 555, dated 11th August 1862.
From Resident, to the Dewan, No. 1606, dated 14th October 1864.
From the Dewan, to Resident, No. 675, dated 5th October 1866.

2. The Sirkar agrees, moreover, not to raise the assessment on the lands in the said villages above what is now paid to the British Government by the proprietors and ryots without the special sanction of the Government except in case of waste lands, which it will, of course, be necessary to assess as they are brought into cultivation, and of lands in process of reclamation which will be assessed according to the terms of Cowle Deeds granted by the British Government.

No. 15A. ORDER THEREON, 8th July 1869, No. 226.

Resolved that copies of the foregoing papers be transferred to the Revenue Department with a view to the Board of Revenue being instructed to issue the necessary orders to the Collector of Malabar to arrange for the early transfer of the Deshoms of Porkolum and Kotta to the Cochin Sirkar in exchange for the Deshom of Tekamungalum.

2. The Board of Revenue will also be requested to direct the Collector to make known to the inhabitants of the Deshoms of Porkolum and Kotta the agreement entered into by the Cochin Sirkar in paragraph 2 of the Dewan's letter, dated the 26th ultimo, No. 394, that the assessment on their lands will not be raised except in the cases described.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 16. Demi-official from the Acting Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 3rd June 1869.

As directed in paragraph 6, G. O., dated the 13th ultimo, I have communicated confidentially and frankly with His Highness the Maharajah of Travancore on the subject of Military honours to be paid to the Dewan. I have also carefully advised with the Officer Commanding the Nair Brigade.

2. The Memorandum attached is drawn up entirely in accordance with His Highness' wishes, and I am requested by him to say that if it meets the approval of the Right Honourable the Governor in Council, it will be embodied as a standing order, and formally issued for the guidance of His Highness' troops.

3. I shall be obliged if you will submit the memorandum to Government and communicate the result to me.

MEMORANDUM.

The following honours will henceforth be paid by the troops of His Highness the Maharajah of Travancore to the Dewan of Travancore.

The present orders supersede and cancel all previous orders on the subject :—

1. All Sentries, excepting those over royal palaces or buildings actually occupied by a member of the Royal family, will present arms to the Dewan during saluting hours.

   Sentries and guards over royal palaces or buildings actually occupied by any member of the Royal family will pay compliments only to members of the Royal family, the British Resident, and their own Officers.

2. All guards, excepting those over royal palaces, &c., as just abovesaid, and the Dewan's personal guard, will stand to their arms to the Dewan during saluting hours.

3. The Dewan's personal guard will consist of one Havildar, one Naigue, and twelve Privates.

4. The Dewan's personal guard will turn out and present arms to the Dewan once in the morning and once in the evening. Should the Dewan pass intermediately at any time, they will turn out with carried arms.

   Sentries of the personal guard will present arms to the Dewan at all times.

(Signed) G. A. BALLARD,
Acting Resident.

3rd June 1869.

No. 17. Telegram from the Chief Secretary to Government, to the Resident in Travancore ; dated Fort Saint George, 14th June 1869.

Maintain proposal regarding Military honours as given in your Memorandum of third June. Instructions on your letter of ninth will follow.

No. 18. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 12th June 1869, No. 49.

I have the honour to submit copies of the correspondence noted between the Dewan of Travancore and myself.

From Dewan to Resident, No. 2362, dated 10th June 1869, with Appendices from A. to G.
From Resident to Dewan, No. 406, dated 11th June 1869.
,, Dewan to Resident, ,, 2367, ,, 12th ,, ,,

2. It will be seen that the Dewan considered that Government had not before it full materials for forming a judgment on the question when paragraph 4, Government Order, dated 13th May last, No. 166, was passed in which it is pointed out that the Dewan had evinced a desire to arrogate to himself a larger share of Military honours than appeared strictly consistent with local precedent, and that Government viewed with dissatisfaction the tone of a letter addressed by the Dewan to Captain Hay. The Dewan endeavours to show that there is not good reason for either animadversion.

3. The Dewan proceeds to remark on the honours to be accorded him in future. On this point I addressed* the Chief Secretary after full and repeated communication with the Maharajah. Several days after I had written to the Chief Secretary the question (which had not cropped up before) of a previous promise given by the Maharajah to the Dewan, that the Dewan's honours should not be altered, was raised by the latter. This point is argued in his letter under notice and replied to in mine of yesterday's date. I do not consider that a promise was given which can be looked on as in any way binding on the Maharajah in his settlement of the question of honours now.

* Demi-official, 3rd instant.

4. I addressed the Dewan pointing out that I believed him to be mistaken in thinking that Government had not the question in its details fully before them; and remarking on the further question of the Maharajah's so-called promise, I was not without some hope that the question might have been thus set at rest; but as this has not been the case, and the Dewan desires it, I consider it right to lay the correspondence before Government.

P.S.—I have just received the Chief Secretary's note approving of His Highness' proposed standing order† to the Nair Brigade on the subject of the Dewan's honours. Though not anticipating that the Government will see fit to alter their opinion, or give His Highness other advice. I shall not communicate the views of Government officially until I receive orders on this letter.

†As laid down in memorandum enclosed in my Demi-official to the Chief Secretary of the 3rd instant.

(Signed) G. A. BALLARD.

From the Dewan of Travancore, to the Acting Resident of Travancore; dated Trevandrum, 10th June 1869, No. 2362M.

I have carefully studied the copy of the Proceedings of the Madras Government transmitted to me with your letter, No. 378, of the 4th instant, and I have the honour to request that you will be so good as to convey to His Excellency the Governor in Council my most grateful acknowledgments for the redress which the Government have been pleased to afford me in regard to the points which formed the subject of my complaint to them.

2. I beg, however, to be kindly permitted to submit some explanations in connexion with the 4th paragraph of the Government Proceedings under advertence. I am most anxious to avoid troubling the Government with unnecessary details, aware as I am of the great value of their time I am bound, however, in justice to myself, to endeavour to remove a misapprehension which the Government seem to have been led to entertain as is evident from that 4th paragraph. And I venture to hope that Government will be disposed to excuse my natural anxiety in this direction.

3. Paragraph 4 of the Proceedings embraces two points—

I. That the Government recognise in the course taken by the Dewan "a desire to arrogate to himself a larger share of Military honours than appears strictly consistent with local precedent."

II. That the Government notice with dissatisfaction "the peremptory tone assumed by the Dewan in his letter to Captain Hay, dated 27th April 1868, which was peculiarly ill-timed, in respect of a question which had been referred by the Maharajah for the consideration of the Resident."

4. As regards the first of these points, my belief is that this unfavourable impression was produced on the mind of the Government because they had before them only the representations of Mr. Newill who himself had, unfortunately for me, entertained such an impression. What representations that gentleman made to Government I am not aware, for you have expressed yourself unable to give me copies of his communications on the ground of their being of a confidential nature. My letters submitted to Government at my request did not enter fully upon the general question of the Military honours payable to the Dewan. If they had entered fully upon this question also, they would probably have placed before Government clear counter-explanations; thus completing the information requisite for the formation of a correct judgment. But my complaint to

Government was meant to be confined to certain imputations cast on me by the late Resident in the course of his correspondence with me, as was expressly stated in my letter* to Mr. Newill, No. 5024, of the 27th of November 1868.

*Vide paragraphs 6, 19, and P. S., marked (A) in Appendix.

5. I beg now to be permitted to state, with every feeling of respect and submission, that I entirely disclaim having desired any honour contrary, or in addition to, precedent. I desired nothing more than what had been all along customary, and what had been accorded to me in common with my predecessors in office for a long series of years.

6. The whole point, then, turns upon this, whether or not the honours I claimed were customary. If reasonable grounds are shown to answer this in the affirmative, I trust Government will do me the justice to exonerate me from even the suspicion of having desired to arrogate to myself any unprecedented honours.

7. I now proceed to show such grounds.

8. The particular honours which Mr. Newill contended were not according to precedent, and which I am, therefore, supposed to have unduly desired to obtain are, the palace sentries presenting arms and the whole of a station guard presenting arms during saluting hours. It is, therefore, incumbent on me, in view to clear myself, to show that these two honours *were* customary.

9. That the first of these honours *was* customary is proved by the circumstance that His Highness the Maharajah himself has declared as follows :—" I am personally aware that the mark of respect thus omitted had been all paid to the Dewan," and His Highness declares he has been the percipient witness of this honour being paid to His Dewan. His Highness must have observed it hundreds of times when the Dewan waits on His Highness on business. And His Highness the First Prince similarly says, "as for single sentries, they present arms to the Dewan *everywhere.*" If such testimony required any corroboration, I would point to that of Captain Davidson who commanded the Brigade, and who, in a collective order about Military honours, framed after due inquiry about custom, included the honour in question among the honours payable to the Dewan. And I would also refer to the testimony of Captain Drury, also of the Nair Brigade, who says he saw nothing unusual in that order of Captain Davidson.

Vide His Highness' own note to Officer Commanding under date 20th April 1868, marked (B.) in Appendix.

Vide His Highness the First Prince's note to Dewan, marked (C.) in Appendix.

Vide Brigade Order in May 1867, and paragraph 14 of Dewan's letter to Resident, No. 191, dated 18th January 1869, marked (D.) in Appendix.

Vide Captain Drury's note to Dewan, dated 17th December 1868, marked (E.) in Appendix.

I beg to point also to the very significant fact that the Brigade records, although diligently seached backwards for nearly a quarter of a century, do not show any single circumstance in conflict with the above body of testimony.

10. To show that the second of the honours specified in paragraph 8 of this was also customary, I need only refer you to my letter to your predecessor, No. 191, and dated the 18th January 1869, which fully goes into the subject. I beg that a copy of that letter may be laid before Government with its enclosures.

Copies enclosed marked (F.) in Appendix.

11. If Government will not deem it too great a trouble to enter into these details, I venture to hope that they will be pleased, as a matter of justice to me, to relieve me of the suspicion of having aimed at any honour beyond what was sanctioned by long subsisting local custom.

12. I revert now to the second point of paragraph 4 of the Proceedings of Government. The gist of the remark of Government is that it was not proper in me to have written to the Officer Commanding the Nair Brigade my letter, dated 27th April 1868, *disposing* of the question of the honour to which it alluded, *at a time when the question had been referred by the Maharajah for the consideration of the Resident.*"

13. If I had really taken upon myself such a disposal of the question at a time it was under the consideration of the Resident, in the way supposed, I would certainly consider myself obnoxious to censure. But I beg respectfully to explain that the case was not so.

14. True, the question had been referred to the Resident. But the Resident had very distinctly decided it. He had written to say that the honour to which my letter to the Officer Commanding related, *was not in question at all.* It was *because* the Resident declared that the honour was *not in question*, that my letter to the Officer Commanding was addressed. To recapitulate briefly, His Highness was personally aware that it was all along customary for the honour to be paid; the Resident who had been referred to, emphatically said in reply that the honor was not at all in question; *thereupon* (and not before) did I, under the authorization of His Highness, address as I did the Officer Commanding about this honour.

Vide paragraphs 12 to 15 of Dewan's letter to Resident, No. 5024, dated 28th November 1868, marked (G.) in Appendix.

15. If, upon a considerate view of this unavoidably lengthy explanation, Government still consider my course open to objection, I will respectfully bow to their decision. But I humbly trust that Government will see reason to accord greater indulgence to one who has been for twenty years endeavouring to serve this State faithfully, so as to merit the satisfaction of both His Highness the Maharajah and the British Government.

16. As to the question of the honours to be accorded to the Dewan in future, I have personally informed you that His Highness the Maharajah had been graciously pleased to promise the continuance of all those honours which the present Dewan had had in common with his predecessors; a promise which was made directly to me, and also through the Resident who officially conveyed it to me in the following words :—

"His Highness the Maharajah has, from the first, distinctly laid it down that the Dewan shall have all customary honours."

Vide Resident's Official Memorandum, No. 960, dated 21st November 1868.

I gratefully acknowledge that this promise has been fulfilled except in the case of the station guards saluting during saluting hours, a point which remains to be settled after receipt of a reply to my letter to the Resident, No. 191, of the 18th January 1869. Howsoever this remaining point may be disposed of, I humbly trust that the settlement *already* made in accordance with His Highness' gracious promise, and which was announced to the whole Brigade, and which has now been in operation for upwards of half a year, will not be disturbed. If a reduction be necessary, I venture to hope it will not be carried out in the time of a faithful minister who has served so long and who has had these honours in common with his predecessors for a series of years. An unsettlement of the settlement arrived at six months ago, after much inquiry and discussion, cannot, I submit, but lower the dignity of the Dewan in the estimation of His Highness' subjects who judge so much by externals; not to say that it will place him in a worse position than the ministers of other Native States, as for instance the Dewan of Cochin.

17. In conclusion, I have the honour to request that you will be so good as to submit, with such support as you may see reason to accord, this communication to the Madras Government with my many submissive apologies for the intrusion rendered unavoidable in the interests of a character which it is my ambition to preserve unimpeachable to the last.

APPENDIX.

(A.)

Extract from paragraphs 6 *and* 19 *and P.S. of Dewan's letter to Resident, No.* 5024, *dated* 27*th November* 1868.

Paragraph 6. I have much to state in reference to these honours fully due to the Dewan in conformity with the assurances of His Highness the Maharajah that, what honours have been customary will be continued undiminished. I may address you separately on the whole subject. But what at present concerns me *most*, and what forms the sole ground of this representation, is

a *fourth* point which you have now thought proper to bring forward, this being no less serious than a charge against me of my having addressed to the Officer Commanding the Nair Brigade an official letter in the name of His Highness the Maharajah, contrary to His Highness' intentions.

Paragraph 19. But my sole aim at present is to seek redress for the serious and altogether groundless imputation conveyed in your official communications under advertence, to the effect that I acted in the name of His Highness contrary to His Highness' intentions, so far that you should arrange for the recall of my letter.

P. S.—But this does not in the least diminish my reason to feel aggrieved at the imputation you cast on me as a faithful minister of His Highness the Maharajah, which imputation forms the subject of the whole of this letter quite apart from other matters.

(B.)

Copy of His Highness the Mahrajah's note to the Officer Commanding the Nair Brigade, dated the 20th April 1868.

On the 13th of this month the Dewan when he called on me for report, as usual, brought to my notice that while the other sentries at the palace had been as customary presenting arms to him, those at the portico of the palace where I reside failed to do so.

Upon this, I directed my Fouzdar to mention to the Subadar of the palace guard, that customary marks of respect to the Dewan should not be omitted.

I had thought that this would set matters right; but when the Dewan called on me on the 17th instant, he informed me that that day *all* the palace sentries failed to present arms.

Now I am personally aware that the mark of respect thus omitted had been all along paid to the Dewan, and while so, I regret that it should have been thus suddenly dropped, and without any sanction.

Will you be good enough to explain to me how this has occurred? Evidently there is some misunderstanding somewhere.

I am, &c.,
(His Highness' signature.)

To Captain J. C. HAY, in charge of the Nair Brigade.

(C.)

Extract from His Highness the First Prince's letter to the Dewan of the 6th April 1863.

I have received your letter on the movement now going on with a view to curtail certain Military honours enjoyed by you as Dewan.

I feel that you have just grounds to complain. I can speak from personal knowledge that the guards at the Dewan's own gate, and at the gate of the Hoozoor Cutcherry, when they have piled arms out have always been in the habit of rallying, standing in a line, and presenting arms to the Dewan. Whether such used to be practised at the palace gates and other guard posts I cannot speak with certainty, though I do not find reason to suppose otherwise. As for single sentries they present arms to the Dewan *every where*. I have known Dewan Kristna Row being greeted with a short "roll" of the drum by his guard, and I believe you have it.

The discontinuance of any of these can only be regarded as so much of clear diminution of the marks of honour enjoyed by *all* Dewans, and always considered due and duly authorized.

* * * *

If you deserve any difference of treatment from your predecessors in office in these matters, that difference should certainly be hetside of increase, and not of decrease of honours.

(D.)

Brigade Orders by Captain DAVIDSON, dated 8th May 1867.

No. II. Referring to Brigade Orders of the 6th instant, the following orders regarding compliments to be paid by guards, &c., are published:—

I. All guards to turn out at any hour and salute His Highness the Maharajah, wherever he passes in sight of them. The same compliment to be paid to His Highness the First Prince, and to all other members of the Royal family.

2. To the Resident, the Dewan, or Dewan Peishkar acting for him, the Officer Commanding the Brigade, the same compliments to be paid between saluting hours only.

(True Extract.)

(Signed) J. MACLEAN, Major,
Commanding Nair Brigade.

(E.)

Copy of a letter from Captain A. DRURY, (of the Nair Brigade,) to the Dewan; dated 17th December 1868.

In reply to your note of this day's date, when Captain Davidson took over charge of the Nair Brigade in the beginning of 1867, he noticed that the men on duty were not sufficiently on the alert, and issued an order on the subject. Nothing in that order, as far as I can remember, struck me as being unusual; the interpreter had been long in the Brigade, and his testimony and reference back to former orders on such subjects seemed satisfactory.

I am, &c.,
(Signed) A. DRURY, Captain.

(F.)

From Sir T. MADAVA ROW, K. C. S. I., Dewan of Travancore, to H. NEWILL, Esq., Resident in Travancore and Cochin; dated Trevandrum, 18th January 1869, No. 191-M 51.

I have now the honour, as promised, to address you on the subject of the Military salute which is still in abeyance, and which I have uniformly maintained is due to me as the Dewan of His Highness the Maharajah.

2. I may here premise that the compliment thus held in abeyance is that of *all* guards of His Highness' Nair Brigade turning out as the Dewan passes during saluting hours and presenting arms to him. As matters stand at present, it is only the Dewan's *personal* guard that is allowed to pay this compliment and no other guard, while my claim is that *all* guards should be allowed to do so.

3. I may also premise that, as all *customary* honours pertaining to the Dewan have been fully and justly guaranteed to me, the only question at present is whether or not this particular honour which is still held in abeyance was customary.

4. I maintain it *was* customary, while it has been sought on the other side to prove that it has been *otherwise.*

5. At the outset of my argument, then, I must state that it is obvious that the onus of showing that the honour was *not* customary rests on the other side. I was in actual and admitted enjoyment of the honour at the time it was placed in abeyance, and it is thus incumbent on the other side to show sufficient cause for so placing it in abeyance.

6. To understand the matter thoroughly, it is necessary to see exactly how this action was really taken.

7. From the whole tenor of the correspondence and circumstances now before me, I gather the strong impression that the action originated from an unfortunate misconception on your part. You came to imagine (and I am not aware how) that I was desirous of arrogating to myself without proper authority certain Military honours, in which the one now the subject of discussion is included; and this error on your part seems to have been unhappily imparted to His Highness. One evening, in January 1868, you called on His Highness and stated in effect that the Dewan aspired to Royal Military honours, which in your opinion should not be granted. His Highness was led to think that the Dewan had been trying, through the instrumentality of the Resident, to obtain some *new and unprecedented honours,* and honours which were exclusively the property of the Royal family. With such an unfortunate and altogether erroneous impression made on his mind, His Highness very naturally replied to you to say that no such honours should be conceded. It need hardly be stated here that His Highness was not aware at the time that the Dewan claimed no other than *customary* compliments: compliments which successive Dewans had all along had accorded to them, and which the present Dewan was in the actual enjoyment of at the time and during many years past.

8. With an opinion thus elicited, but without any reference to me as Dewan, or even as the party most interested in this matter, you seem to have had some conversation on the subject with the Officer Commanding also, and, therefore, summarily arranged directly with that public servant of this Government to suspend the Military honours till then enjoyed by the First Minister of that Government. To authorize such a serious step, the Officer Commanding had not a word of sanction in writing. Properly speaking, he should not have acted except on express authorization from the Government. But you thought proper orally to give the Officer Commanding the authority to cancel Captain Davidson's previous order, and practically to deprive the Dewan of his usual Military honours: honours which have been accorded to a succession of the Ministers of Travancore. The Officer Commanding acted on your authority thus conveyed *before the 17th of February* 1868. On the *20th of April following*, His Highness finding that *customary* honours due to his Dewan were discontinued, inquired of the Officer Commanding on what authority such action was taken. Evidently the Officer Commanding had no written authority to produce. When you came to know of this inquiry of His Highness, you supplied the want of written authority by addressing to the Officer Commanding *on the 12th of May following*, your official No. 354. The inquiry which ought to have *preceded* such action *succeeds* it, for Captain Davidson's explanation, &c., &c., are taken *after* the 12th of May last quoted. It is to be noted that Captain Davidson's explanation is dated the 16th of May 1868, and yet his order about which the explanation was sought and given was condemned and cancelled at your instance *before* such explanation.

9. Action taken in the manner above described, involving as it did the deprivation of important Military honours till then enjoyed by the Dewan, and consequent public derogation of the dignity of the Dewan's position, cannot, I beg respectfully to submit, be considered to rest on a sound foundation at the very outset. But I proceed to discuss the reasons with which such action has afterwards been sought to be justified.

10. I may here repeat that the onus of proving that the honour I was in the enjoyment of was not a customary honour, but one assumed without authority, rests not on myself, but on the other side.

11. This proof is attempted in Major Maclean's letter to you, No. 82, dated 23rd May 1868, and it may be thus epitomized :—

(a.)—That Captain Davidson's explanation shows that the Dewan came to enjoy the honour in consequence of Captain Davidson having unauthorizedly conferred it on the Dewan when that Officer was Officiating Commandant of the Nair Brigade in May 1867.

(b.)—That the Brigade orders for the last twenty-three years go against the Dewan's claim.

(c.)—That the reply of Captain Daly, (a pensioned Officer of the Brigade, and now residing out of Travancore for a long time,) to a reference made to him, is also against the Dewan's claim.

(d.)—That four native employés of the Brigade, such as Subadar, Havildar, and Jemadar, have given their testimony against the Dewan's claim.

12. And Major Maclean says in his letter to you above quoted, "a reference to these documents clearly shows that the guards furnished from the Brigade were never turned out to present arms to the Dewan excepting that over the Dewan's own residence," &c.

13. Now, Major Maclean was probably not quite free from that state of mind which unconsciously disposes it to accept inconclusive evidence as proof in support of a foregone conclusion; for he had himself previously stated to you "on assuming command of the Nair Brigade, I was surprised to find that the Dewan received any Military honours"! I contend that Major Maclean's reasons do not support his conclusions. I will, therefore, discuss his argument point by point.

14 Point marked *(a)*.—Captain Davidson's explanation is far from an admission that he unauthorizedly conferred any new Military honours on the Dewan. On the contrary it is a complete vindication of his order, for he maintains that he did nothing whatever *new*; that he was perfectly aware that he could not do anything novel; that he only ascertained by due inquiry what the existing practice was; that he simply continued in a comprehensive Brigade order that

existing practice; that he as Officiating Commandant was quite competent to do thus much; and he emphatically declares "most certainly in issuing that order (after due inquiry) I can state that I had not the remotest idea that it contained anything at variance with any custom or usage of the Brigade that had been sanctioned or that had prevailed up to that time; nor did I desire or imagine in the least degree that any improper innovation, or indeed innovation of any kind, would be occasioned or would be ever likely to be occasioned thereby." And Captain Davidson is, of all the European Officers of the Brigade, the one who has served the longest with the force, and as such, must be most conversant with the usages of it. Captain Davidson's explanation is simply tantamount to this, that he did nothing more than follow usage; that in this he was perfectly right; but that as both the Resident and Major Maclean had already come to the conclusion that he (Captain Davidson) had made a mistake, he was sorry for "such an unfortunate and inconvenient mistake." Now I would ask any dispassionate judge whether this explanation of Captain Davidson is adverse to my contention that the honour I have been deprived of was a customary one. On the contrary, I think it is highly favourable to my claim, and indeed nothing could be more so. It is in fact the strong justification of an Officer conscious of having acted rightly, but not willing to appear to fly in the face of the condemnation already passed on his action by the Resident and Major Maclean. Surely such an explanation of Captain Davidson cannot reasonably be made the ground for the condemnation that preceded it. Is it not preposterous to suppose, for a moment, that Captain Davidson would be guilty of ordering new Military honours to the Dewan under the guise of adhering to the existing practice? Why should any European Officer of the most ordinary sense do such a thing? I had not the slightest communication with him on the subject directly or indirectly, orally or in writing; nor had he any with me. Hence, the point marked *(a)* and relied upon by Major Maclean as evidence against my claim entirely fails; nay, more, it strongly operates as evidence in *favour* of my claim.

15. We now come to point *b*.—I have most carefully studied the extracts from the past Brigade orders quoted by Major Maclean, and find nothing *whatever* against my claim. The order, dated 27th November 1844, simply regulates the hours for paying certain Military compliments, and does not bear at all on the question under discussion. The order, dated the 30th November 1844, simply modifies the preceding order regulating *hours*. Of the order, dated 14th August 1850, paragraph 4 does no more than fix saluting hours. I infer from it that the Dewan and others, to whom the salute is due, are entitled to the compliment only during the saluting hours fixed. And the effect of paragraph 5 is that the Dewan's *personal guard* is exempted from the limitations laid down in paragraph 4, but is left to follow the then existing custom. The rest of this order has no bearing on the question in issue. Thus, I arrive at the conclusion that point *b* also entirely fails in the character of evidence against my claim, while in part it inferentially operates in favour of that claim. I may contend with much reason that the fact of a diligent and adverse search into the records of the Brigade extending over nearly a quarter of a century, resulting in the total absence of a single word against my claim, is in itself strong evidence that my claim is well-founded.

16. As regards point marked *c*.—This letter of Captain Daly does not speak about the compliment of the whole guard turning out and presenting arms to the Dewan, which is the point under discussion. With this remark I dismiss this point *c*.

17. The last point is that marked *d*.—This is a statement taken from four men employed as Subadar, Havildar, and Jemadar. This I admit does go against my claim, because it is alleged in that the honour I contend for was not a customary one, but one newly ordered by Captain Davidson. My answer to this is that this statement is quite unreliable, as I will presently show.

18. Thus of all the evidence relied upon for the adverse view taken of my claim, the point marked *d*, and noticed in the preceding paragraph, is the only one that may be accepted as evidence and as such met.

19. Now, be it remembered that the deponents are poor native employés; that their social rank is by no means high; that their pay varies from Rupees 7 to 30 only; that they are naturally in fear of their Officer Commanding; that they were asked to give their testimony on a

point already virtually decided by the Officer Commanding and the British Resident. Is it to be supposed that these men would always have the moral courage to negative to their own Commanding Officer the opinion that Officer himself had previously committed himself to ? Be it noted that at the time they were called upon to give their statement, it had been published to the whole Brigade that Captain Davidson's order was quite wrong, and that as such it was cancelled by the Officer Commanding under the authority of the British Resident. These poor people must have supposed that they would probably incur the displeasure of both the Resident and of their own Commanding Officer by giving any testimony that would tend to stulify the action already so publicly taken by such high and influential authorities.

20. Now, if so inclined, or if deemed really necessary, I would readily oppose this testimony of the four native employés of the Brigade by the testimony of scores of other similar employés in favour of my claim. But I advisedly refrain because such a course would be an affront to those whose infinitely superior testimony I have already at my disposal : a testimony which I proceed to touch upon.

21. In the first place, I beg you will note that the testimony of the Native Subadar, &c., that I am animadverting upon, is in direct conflict with the explanation given by Captain Davidson which explanation has been summarised above. Which of these testimonies should be reasonably preferred, Captain Davidson's or that of the Subadar, &c., given under the circumstances indicated in paragraph 19. The answer is evident.

22. Again, there is the testimony of Captain Drury, who was second in Command at the time Captain Davidson issued the order, which has been so summarily condemned as an innovation. I append copies of my note to Captain Drury and his reply. This reply entirely confirms Captain Davidson's explanation that he did nothing new, but simply perpetuated existing practice.

23. Further, I append an extract from a note from His Highness the First Prince who says clearly that he himself has been the witness of another guard besides the Dewan's own personal guard paying the compliment now refused me.

24. There is my own testimony, and this I feel it due to myself to observe yields to none in point of weight. I can unhesitatingly declare that I have been the percipient witness of the honour now denied me being paid to me *hundreds* of times, and for about ten years, and I remember having seen it paid to my predecessor.

25. I annex also strong testimony in favour of my claim from Shungoony Menon, Dewan Peishkar, whose personal experience extends over *thirty years.* He says he has seen the compliment paid to half a dozen Dewans successively.

26. I add also the testimonies of the following highly trustworthy Officers of the Sirkar:—

Mr. H. Crawford, Commercial Agent.
Valoo Pillay, Dewan Peishkar.
Mr. T. R. A. White, Secretary to the Dewan.
,, R. LaBouchardiere, Assistant Secretary to the Dewan.
The Valia Meleltoo Pillay.
The Police Sheristadar.
Mr. F. Watts, Manager, Dewan's Office.
The Meleltoo Pillay.
The Maramut Sheristadar.

27. Now I contend that the testimony of any *one* of these Officers would be conclusive. But taking all together the probative force must, to any dispassionate mind, appear overwhelming.

28. I will now take one fact more: His Highness' *Body-guard* salute the Dewan to this day as a matter of practice. Here is *analogical* evidence having a strong bearing on the point I am contending for.

29. In conclusion I respectfully beg your verdict, after a full consideration of my claim, with the advantage of the new light you have now enabled me to throw upon it. If you consider that Major Maclean has not succeeded in establishing the theory that an unprecedented Military com-

pliment was unauthorizedly awarded to the Dewan by Captain Davidson, it will at once follow that that compliment should be continued to me undisturbed. I am sanguine that I have not only shown that that theory has failed of proof, but have also substantiated my claim by positive and incontrovertible evidence. And satisfied as His Highness now is, that I do not claim any thing new and unprecedented, but that my aspirations are limited to the *continuance* to me of that mark of dignity which I, in common with my predecessors, have enjoyed for about ten years, His Highness has graciously given me to understand that he would be glad to see this matter arranged to my satisfaction.

From Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore, to Captain A. DRURY, &c., &c., &c.; dated Trevandrum, 17th December 1868.

I wish to have your replies to the following queries, and I shall feel obliged by your giving your testimony to the best of your recollection, and without consulting or even casually referring to any one else.

2. When Captain Davidson, as Officiating Commandant of the Nair Brigade, passed a Brigade Order in the earlier part of 1867, to the effect that all the men of any guard should turn out and salute the Dewan when he passed, did you or did you not think that Captain Davidson was ordering an *unusual* honour in this respect to be paid to the Dewan ?

3. Whatever you thought, can you favour me with your reasons for so thinking ? Hoping you will excuse the trouble.

From Captain A. DRURY, to Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore; dated 17th December 1868.

In reply to your note of this day's date, when Captain Davidson took over charge of the Nair Brigade in the beginning of 1867, he noticed that the men on duty were not sufficiently on the alert ; and issued an order on the subject. Nothing in that order, as far as I can remember, struck me as being unusual ; the Interpreter had been long in the Brigade, and his testimony and reference back to former orders on such subjects seemed satisfactory.

ALLEPPEY, *December 1st*, 1868.

MY DEAR SIR,

I have only received your note of the 29th now, and shall endeavour to reply to the different questions put by you.

To the best of my recollection the sepoys have invariably saluted the Dewan at Alleppey, and up to the time of the reduction of the force here, I am almost certain they turned out to receive him, but I cannot distinctly recollect whether that was discontinued afterwards. On the last two occasions that the Dewan visited Alleppey before I went home in 1846, I was not present being sick on one and absent at Quilon on the other occasion.

With regard to Kristna Row, the late Dewan, he was always accompanied by a guard of his own in moving through the country.

I have not, as requested by you, mentioned this to any of the Officers of the Brigade, and do not intend doing so.

Your's, &c.,
(Signed) H. CRAWFORD.

From P. SHUNGOONY MENON, to Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore; dated Trevandrum, 1st December 1868, (Demi-official.)

I beg to state in reply to your letter of yesterday's date that I had invariably observed the guards at the Dewan's quarters and Cutcherry, as well as those at the palace and other places, turn out and present arms to the Dewan as that authority passed by during saluting hours.

Such a ceremony I had witnessed during the tenures of office by six successive Dewans commencing with the late Sooba Row's first administration and from the year 1837. This fact, I think none can deny, and ought to be admitted even by the old Subadars of the Brigade.

Being asked by the Dewan of Travancore to state whether I am aware of any Military honours being paid to him, I declare that ever since I settled in Trevandrum, (12th April 1850.) I have very frequently seen the whole of the Subadar's guard attached to the Cutcherry turning out and presenting arms whenever the late Dewan Kristna Row and the present Dewan, Sir T. Madava Row, left the Cutcherry.

I have also seen similar honours paid to the Dewan at the Commercial Agent's house whenever the Dewan visited Alleppey.

TREVANDRUM, (Signed) R. LABOUCHARDIER,
4th January 1869. *Asst. Secy. to the Dewan.*

I well remember having frequently seen the Nair Brigade guard at the Cutcherry turn out in a body and present arms to the Dewan Sir Madava Row whenever he passed them on his return from the Cutcherry in the evening. I have seen this done from the time I was appointed to my present post in September 1865, till lately when the honour was discontinued.

I have also seen the same honour paid to the late Dewan Kristna Row by the Cutcherry guard. I had opportunities of witnessing this while I was for a time employed by that Dewan in his office.

TREVANDRUM, (Signed) F. WATTS,
14th January 1869. *Manager, Dewan's Office.*

It was usual for all guards at all stations to turn out and present arms to the Dewan when he passed.

I remember having seen the guards stationed at the Hoozoor Cutcherry presenting arms to Kristna Row, the late Dewan, and those stationed at Thavarathoo Koical, the fort gates and His Highness the First Prince's palace paying the same honour to the present Dewan ever since his appointment up to a short period previous to the Governor's State visit to Trevandrum

TREVANDRUM, (Signed) G. NEELACUNDA IYER,
14th January 1869. *Maramut Sheristadar.*

I most distinctly remember having seen the Military guards at the Hoozoor Cutcherry, His Highness' palace, and the eastern fort gate turning out and presenting arms in a body to the present Dewan whenever he passed them.

I also remember having observed the same honour paid to the late Dewan Kristna Row.

(Signed) SHUNGRA SOOBYER,
14th January 1869. *Police Sheristadar.*

I freely declare that to my personal and certain knowledge, which extends over four and twenty years in the service of the Travancore Sirkar, the successive Dewans of this State who held office during that period, namely, Soobrow, R.R.R., Vencata Row, Runga Row, Vencut Row, (*alias* Reddy Row,) Sreenevasa Row, Kristna Row, and at the present time Sir T. Madava Row, have each and all been invariably the recipients of due Military honours from all ranks of the Nair Brigade *wherever* and *whenever* stationed on duty, by sentries individually presenting arms, and entire guards or detachments turning out for the purpose of thus saluting.

TREVANDRUM, (Signed) T. R. A. WHITE,
15th January 1869. *Secretary to the Dewan of Travancore.*

Translation of a statement made by Shivon Shivaramalingum Pillay, Valia Melelloo Pillay on Tye 3rd, 1044.

I have seen the Military guard at the Hoozoor Cutcherry gate turn out on the Dewan passing them when their arms were piled in the evening, and salute him presenting arms. I have seen this done on one or two occasions, about two years ago I think.

Translation of a declaration made by Moothu Cumaren Theravium Pillay, Junior Melelloo Pillay on 3rd Tye 1044.

I do hereby certify that from the time of Dewan Kristna Row, I have often seen the guards placed at the Hoozoor Cutcherry here, and at the Alleppey guard-room presenting arms to the Dewan when he passed them at the time that their arms were piled,

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I know that it has been usual for all the Military guards of the Nair Brigade at all stations to turn out and present arms to the Dewan.

When the Dewan passes in the morning and evening through any of the places where Brigade Sepoys are stationed except within the palace, they used to unfile their arms and present arms. At all times the sentry in every station present arms whenever he sees the Dewan passing by. This is done to all the Dewans who have come within my knowledge.

(Signed) K. C. VALOO PILLAY,
Dewan Peishkar.

(G.)

Extract from Dewan's letter to Resident, No. 5024, *dated 27th November* 1868.

Paragraph 12. To this you were good enough to reply promptly in your note of the 24th of the same month saying as follows :—"I am in receipt of your further letter of 21st. I must really "ask you to abstain from mixing up my name with misstatements. In my last I had to point "out an unfounded assertion of the kind, and in this communication there is another which I am "not a little surprised at, as I distinctly stated to you that there was no objection or question "about the sentries of the Brigade presenting arms to you."

Paragraph 13. Here, then, in direct reply to my representation that I had been deprived of the honour (C), viz., palace sentries presenting arms to the Dewan, you not only state, but emphatically reiterate, that "there was no objection or question" about that honour. You go further. You term my supposition that the honour was in question "an unfounded assertion," and you are "not a little surprised at" such supposition on my part.

Paragraph 14. This communication of your's, which thus ran so very strongly in my favour, I lost no time in showing to His Highness. What could possibly have more strongly assured His Highness that the honour (C.) was not at all in question ? and please remember that His Highness had himself previously written to the Officer Commanding to the effect, "I am personally aware that the mark of respect thus omitted had been all along paid to the Dewan."

Paragraph 15. Thus doubly assured, His Highness directed me to address in his name to the Officer Commanding, a letter directing that the honour (C) be renewed to the Dewan. The draft of my letter was fully submitted to His Highness for perusal before its adoption, and was returned by His Highness fully approved.

(True Copies and Extract.)

(Signed) T. MADAVA ROW,
Dewan.

From the Acting Resident in Travancore and Cochin, to the Dewan of Travancore ; dated Trevandrum, 11th June 1869, No. 406.

I have the honour to acknowledge receipt of your letter of yesterday and its appendices.

2. Adverting to paragraph 4 in which you say that your letters submitted to Government at your request did not fully enter on the general question of the Military honours payable to the Dewan, and quote your letter to the Resident, dated 27th November last ; I must observe that I believe your letter of the 18th January last fully discussed this question from your point of view. That letter is not on my records ; but to the best of my knowledge and belief was forwarded to Government with Mr. Newill's letter* to the Chief Secretary of the 9th February last.

*This letter forwards a letter from the Dewan on the subject of honours, &c. ; but the date of the Dewan's letter forwarded is not given in the draft.

The extracts given as Appendices *A.*, *B.*, *D.*, and *G.* in your letter under reply have certainly and independently been before Government I believe *C.*, *E.*, and *F.* were also sent to Government with your letter of the 18th January last, but they are not on my records.

2. I mention this as I believe you have now written under (I think) the mistaken idea that Government had not already had the opportunity of considering the papers in question.

It is not for me now to discuss them; or the point raised in paragraphs 12 to 15 of your letter under reply; and if after the explanation given above you still desire your letter (and enclosures) to be submitted to Government, I will forward it forthwith.

3. But I would take the opportunity of saying a very few words with regard to the future. I waive altogether, for the time, the question whether certain honours have or have not been customary; and, with this premise, observe that I conceive such expressions as His Highness the Maharajah may have used with regard to a continuance of any honours must be taken in connexion with the circumstances of the case. It appears very clearly to have been His Highness' desire for some time last year; mainly it would seem to get a troublesome question easily disposed of; to accord any honours that could, with any show of plausibility, be claimed; and he said† "I shall merely "repeat my assurance that I shall be only very "glad to see all those customary honours you had hitherto in common with your predecessors "continued undisturbed."

‡ Vide Memorandum from His Highness the Maharajah, dated 16th January 1869, to the Dewan.

Even verbally this is not a definite promise that no change should ever be made. And now with the friendly counsel of the Madras Government, it is His Highness' desire to pursue a more definitive, and what I must characterize as a more dignified, course. His Highness desires, without too strict a reference to local custom or precedents, to introduce a clear and definite system of honours, which, whilst recognising the dignity of the Dewan's position, shall prescribe some marked distinction between the honours paid to royalty and those paid to the minister.

4. Such is the state of the question, and now it would give me very great pleasure if, on consideration, you should see fit, instead of forwarding what partakes of the nature of a remonstrance with regard to the future, to empower me to say that you do not desire to hamper the course which His Highness, with the friendly advice of the British Government, may think it right to pursue; that you do not wish to raise objections which, perhaps, may with some plausibility be raised on expressions His Highness may have used, or what may have passed, during the unfortunate confusion into which the question fell and remained during the greater part of last year; but that you are prepared cheerfully to accept such honours as your Sovereign may, on due consideration and with proper advice, think it fitting to prescribe.

This course it seems to me would better befit the true dignity of all concerned, than an endeavour to cling tenaciously to another (whether customary or not) which it seems for weighty reasons desirable to modify.

I beg a reply at your convenience.

From Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore, to the Acting Resident in Travancore and Cochin; dated Trevandrum, 12th June 1869, No. 2367.

I have the honour to acknowledge your letter, No. 406, dated the 11th instant.

2. It is true that a part of the evidence I adduced in my letter to you of the 10th idem* has already been before Government. But it was before Government in connexion with a different and *distinct* issue, and could not, therefore, produce the impression which it may reasonably be expected to do when submitted together with further revelant matters, so as to form a complete argument in itself, bearing directly upon the object which I mainly have in view, viz., to endeavour to remove from the mind of Government the misapprehension which led them to pass the remarks embraced in the 4th paragraph of their Proceedings.

* No. 2362.

3. As regards the rest of my letter to you, I beg to assure you that I have no wish whatever to occasion any embarrassment to His Highness. That letter was written by me in the strong and well-grounded belief that His Highness himself desired no change in the customary honours payable to the Dewan, but wished to continue them in the case of the present incumbent at least.

4. From the first His Highness was graciously pleased to lay down the principle and to make the assurance that "the Dewan shall have all customary honours." This was steadily adhered to throughout, and repeated by the Resident, Mr. Newill, as an indisputable basis of settlement. And what, I submit, could be more just and equitable? For a very long series of years, certain honours have been accorded to successive Dewans. These have been accorded to the present Dewan also for no less than ten years. It was natural for His Highness to feel, that if fresh ones were not conferred, the usual ones should be continued in the case of a minister who has served longer, and by no means less faithfully or less successfully than any minister that has gone before him. The State has, at all times, shown the tenderest care to protect existing interests, and His Highness' minister was not to be the only exception to so fair a principle. And His Highness no doubt also felt that His Dewan should not be placed in this respect in a less advantageous position than the ministers of other Native States, as for instance, the Dewan of Cochin who has all along had the same honours as have been customary in Travancore. His Highness was accordingly pleased to guarantee the undisturbed continuance of customary marks of dignity to his present Dewan. Acting upon such guarantee, His Highness was graciously pleased, with the full concurrence of the then Resident, to order the honours which the Dewan is now actually receiving. Such order of His Highness was officially communicated to His Highness' Brigade by the Resident himself, and was publicly announced to the whole force. This settlement thus effected, most agreeable to His Highness as it was, His Highness was graciously pleased to congratulate his Dewan.

5. Under these circumstances it is my humble belief that His Highness would not desire the unsettlement of a settlement so arrived at, and I feel sanguine that when all the circumstances are laid before Government, they would hardly themselves advise a change, such as would lower the Dewan's position in the estimation of the people, who judge only roughly and from externals, not to say that it would have the appearance of His Highness having to set aside an equitable settlement made by himself in concert with the Resident.

6. As I understand that the question is again under reference to Government, it seems the best course to lay before them all the facts and circumstances of the case, and this perhaps is best done by submitting to them, as I have already requested, the letter I addressed you on the 10th instant,† together with copies of this further correspondence. Thereupon whatever decision His Highness the Maharajah thinks fit to arrive at, with the advice of the Government, will set the whole question finally at rest after the fairest and fullest consideration, and it will remain for me to bow to such decision with all that deference which is dictated by my duty.

†No. 2362.

No. 53.

No. 19.

MEMORANDUM.

The Resident begs to submit the enclosed original letter, No. 2363, of the 11th instant, with enclosures, from the Dewan of Travancore, which should have accompanied his letter to the Chief Secretary, dated 12th idem, No. 49.

(Signed) G. A. BALLARD,
Resident.

TREVANDRUM,
15th June 1869.

To the Chief Secretary to Government, Fort Saint George.

From Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore, to the Acting Resident in Travancore and Cochin; dated Trevandrum, 11th June 1869, No. 2363.

As requested in your demi-official letter of this day's date, I have the honour to forward, herewith, a copy of a memorandum received by me from His Highness the Maharajah, on the subject of the Dewan's honours.

Copy of a Memorandum from His Highness the Maharajah, to the Dewan, received on the 16th of January 1869.

MEMORANDUM.

Saturday.

The official herewith returned being approved of, it may at once be adopted. I need hardly repeat my assurance that I shall be only very glad to see all those customary honours you had hitherto, in common with all your predecessors, continued undisturbed, and wish you every success in gaining your just claims to your entire satisfaction.

(True Copy.)

(Signed) T. MADAVA ROW,
Dewan.

No. 20. From Sir T. MADAVA ROW, K.C.S.I., Dewan of Travancore, to the Acting Resident in Travancore and Cochin; dated Trevandrum, 9th June 1869.

I have the honour to acknowledge your letter, No. 378, of the 4th instant, together with its enclosure,* marked "Confidential."

* NOTE.—This was G. O., dated 13th May last, No. 166. (Signed) G. A. B.

2. I have personally informed you that it is my intention to make a representation in view to remove the misapprehension into which Government have been led, and which appears in paragraph 4 of their Proceedings.

3. I feel it is of great importance to me to remove that misapprehension; and to enable me to do this effectually, it seems desirable that I should have copies of the representations made to Government by your predecessor, Mr. Newill, in the several communications noted at the outset of the Government Proceedings. It appears only a matter of justice that I should have these papers. If you see no particular objection, may I beg to be furnished with them.

From the Acting Resident in Travancore and Cochin, to the Dewan of Travancore; dated Trevandrum, 9th June 1869, No. 395.

I beg to acknowledge your letter of to-day's date requesting copies of the correspondence noted at the head of Government Proceedings, dated 13th May 1869; but regret that I cannot comply with your request. The papers were sent from this office, and returned to it, as confidential.

No. 54.

MEMORANDUM.

True copies forwarded to the Chief Secretary to Government, Fort Saint George, for information.

TREVANDRUM, (Signed) G. A. BALLARD,
15th June 1869. *Resident.*

No. 21. ORDER THEREON, 9th July 1869, No. 227.

His Excellency the Governor in Council, after a careful consideration of the correspondence above recorded, sees no reason to question the propriety of the decision arrived at by His Highness the Maharajah of Travancore regarding the Military honours, which shall in future be paid to the Dewan of His Highness, and which are described in the demi-official letter addressed by the Resident to the Chief Secretary on the 3rd June last.

2. His Excellency in Council observes with regret the course pursued by Sir Madava Row in persistently urging his claim to additional honours, after he was aware of the decision of His Highness the Maharajah, a decision passed with the entire concurrence of the Government to whom the question had been referred by His Highness.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 22. From Colonel R. S. WILSON, Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 28th June 1869, No. 231.

I have the honour to forward the undermentioned documents from His Highness Prince Azeem Jah, Bahadoor :—

One letter from the Prince to His Excellency the Governor, dated 26th June 1869.

A. List of secured creditors who have accepted the offer.

B. Original release with copy signed by those who have accepted the offer.

C. Particulars of the claims of the three creditors who have refused the offer made to them.

No. 49 of 1869.

TRANSLATION.

God is Merciful.

SHAUDEE MAHUL, *26th June* 1869.

To His Excellency the Right Honourable Lord NAPIER, K.T., Governor of Madras, &c., &c., &c.

Under a telegram from the Government of India, dated 17th March 1869, your Excellency intimated that I must come to an agreement with my creditors before the 30th June (instant), or that the loan of twelve lacs of rupees would be withdrawn; and the Government Agent in communicating this to me stated* that your Excellency in Council is assured that it rests with me to relieve myself from my embarassment, and expressed a hope that I would no longer delay in lending my personal aid in securing so important a subject. I accordingly addressed myself to the execution of the huge and important work required of me, and I hasten to make your Excellency acquainted with the result.

* 22nd March 1869, No. 100.

2. It is with pleasure I now inform your Excellency that the efforts made by me to induce my secured creditors to come to a compromise have been crowned with success. I enclose a list of these creditors marked A, from which it will be observed that out of seventy-three, seventy of them have accepted the respective offers made to them, and that the aggregate amount of the offers so accepted is Rupees 11,81,991; that only three secured creditors have refused the offers respectively tendered to them; and that these offers aggregate Rupees 18,000, the above two sums aggregate Rupees 11,99,991, leaving a balance of only rupees nine over.

3. It is scarcely necessary for me, after the recital of the abovementioned details, to assure your Excellency that I have *personally* done all in my power to settle my affairs. I have been most earnest in my desire and strenuous in my efforts to relieve myself and my sureties from the heavy liabilities that are so heavily pressing upon us; and in order to assure my creditors that I had no intention whatever to secure for myself any portion of the twelve lacs Government are willing to lend me for the settlement of my secured debts, and that I am acting in good faith with them, so as to inspire them with confidence that an equitable distribution of the amount of the loan will be made to them, I have done that which has cost me great pain and sorrow. I have agreed to give up my ancestral jewels, which, from the associations connected with them, are very dear to me, and in addition landed property belonging to me mortgaged for more than one lac of rupees.

4. Having thus effected a settlement with my abovementioned creditors, I beg to inform your Excellency that I shall place, at the Madras Bank, the twelve lacs in the name of Hydur Jung Bahadoor, my Chief Secretary, in order that the payments may be made by his cheques to each of the creditors who have accepted the offers respectively made to them, and that the amount of the unaccepted portion of the offers to the three creditors alluded to above will be deposited in the

same Bank in the joint names of my Chief Secretary and the individual creditors who have refused the offers; taking first the advice of the Government Solicitor upon that subject, and by which I shall be guided.

5. I enclose the original agreement marked B, signed by the creditors who have accepted my offer, and a copy thereof for your Excellency's inspection, and your Excellency will observe that it is of the nature of a full release and final acquittal.

6. I also forward, herewith, a memorandum marked C, showing particulars of the transactions of the three creditors who have declined the offers made to them.

What more.

(Signed) AZEEM JAH.

(A true translation.)

(Signed) HYDUR JUNG.

No. 23. From Colonel R. S. WILSON, Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 6th July 1869, No. 238.

With reference to the letter, dated 26th June 1869, addressed by His Highness Prince Azeem Jah Bahadoor to His Excellency the Governor concerning the settlement of His Highness' secured debts, I have the honour to report that I have, as directed by you, communicated with Mr. Prichard, Government Solicitor, and Hydur Jung Bahadoor, the Prince's Chief Secretary. I have ascertained from the latter that there will be no objection on His Highness' part to Hydur Jung Bahadoor's acting as Joint Trustee with Mr. Prichard in the settlement of His Highness' secured debts. I am informed by Mr. Prichard that the form of release submitted to Government by His Highness, in His Highness' letter above quoted, is fully sufficient for such of the creditors as have merely personal security. With regard to those who have material security (fourteen in number) it will be necessary to obtain from them, before payment to them of the amounts agreed on, surrender of the material securities which they hold. Mr. Prichard also informs me, with regard to His Highness' proposal, that the money in question shall be lodged in the Madras Bank, that there are objections to this measure, and that it is preferable that the money should be paid, as required, by the Accountant General, direct to the trustees on their receipts.

2. With the above alterations there appears to be no objection to carrying out the arrangement proposed by His Highness Prince Azeem Jah.

No. 24. ORDER THEREON, 13th July 1869, No. 228.

His Excellency the Governor in Council approves of the arrangements proposed in the letter above recorded, for the payment of the secured debts of His Highness Prince Azeem Jah Bahadoor, and resolves to instruct the Accountant General to arrange for making the necessary payments direct to the trustees on their receipts, as suggested in paragraph 1 of Colonel Wilson's letter.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 25. Read the following letter from the Government Agent, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 28th June 1869, No. 230.

I have the honour to submit to the Right Honourable the Governor in Council the names of the Carnatic Stipendiaries named on the list overleaf, who desire the equivalents of their stipends.

2. These Stipendiaries draw their respective stipends under the orders of Government quoted opposite their names in that list, and I have the honour to recommend compliance with their several requests and furnish the amount of equivalent they can claim.

Numbers.	Names.	Authority.	Age.	Amount per mensem.			Amount per annum.			Value of 1 Rupee per annum.	Bonus.			Remarks.
			YRS.	RS.	A.	P.	RS.	A.	P.		RS.	A.	P.	
232	Roshun Mafil	E. M. C., 14th August 1821	52	5	0	0	60	0	0	9	540	0	0	These commutations are in accordance with paragraph 4 of despatch from the Secretary of State, dated 22nd June 1860, No. 15, and Orders of Government, Nos. 2635 and 200, dated 11th November 1863 and 14th August 1865.
1017½	Mirza Khajah Ally	Do. 12th ,, 1856, No. 239	62	3	4	0	39	0	0	7	273	0	0	
1201E	Haleem Bee	G. O., 19th March 1864, No. 104	45	4	0	0	48	0	0	10	480	0	0	
1644	Zeenut Bee	Do. do. 1857, No. 230	63	1	0	0	12	0	0	7	84	0	0	
2052	Shaik Ahmud	Do. do. ,, do.	69	2	0	0	24	0	0	8	192	0	0	
2755	Syed Mahomed	Do. 22nd March 1858, No. 197	37	4	0	0	48	0	0	10½	504	0	0	
3903	Abdool Ally	Pros. of Govt., 12th Nov. 1859, No. 664	26	5	0	0	60	0	0	11½	690	0	0	
4126	Shaik Madar	Do. 31st Aug. 1861, ,, 380	51	2	10	0	31	8	0	9	283	8	0	
4588	Shaik Ally	Do. 22nd Sept. 1868, ,, 206	43	3	8	0	42	0	0	10	420	0	0	
										Total...	3,466	8	0	

	RS.	A.	P.
Amount sanctioned for the commutation of the 1801 and 1855 stipends	50,000	0	0
Now recommended	3,466	8	0
Still available ...	46,533	8	0

CHEPAUK,
28th June 1869.

(Signed) R. S. WILSON,
Government Agent.

No. 26. ORDER THEREON, 13th July 1869, No. 229.

His Excellency the Governor in Council sanctions the disbursement of the sum of Rupees 3466-8-0 in commutation of the stipends of the nine Stipendiaries described in the statement annexed to the foregoing letter.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 27. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 25th June 1869, No. 56.

I have the honour to request supply of the following books, which are very much required for the Resident's Office :—

Mayne's Penal Code, (last edition,) with Amendment Acts embodied.

Code of Criminal Procedure do.

Do. of Civil do. do.

Revenue Law relating to the Madras Presidency.

Strange's Hindoo Law.

Collett's Law of Torts and Measure of Damages.

Norton's Law of Evidence.

No. 28. ORDER THEREON, 13th July 1869, No. 230.

Resolved that the Resident in Travancore and Cochin be authorized to purchase the books described in his letter above recorded, and charge the cost in his contingent bill.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 29. Read the following letter from KHADUR-OO-NISSA BEGUM, to the Chief Secretary to Government, Fort Saint George; dated Madras, 15th June 1869.

I respectfully solicit that you will kindly procure the transmission of my memorial to the Right Honourable the Secretary of State for India.

TO HIS EXCELLENCY THE RIGHT HONOURABLE HER MAJESTY'S
SECRETARY OF STATE FOR INDIA IN COUNCIL,
East India House, London.

The humble Memorial of KHADUR-OO-NISSA BEGUM, nicka widow of IFTACHAR-OO-DOWLAH BAHADOOR, residing at No. 77, Krisnampet, St. Thomé, in the Presidency of Madras.

RESPECTFULLY SHOWETH,

That memorialist begs to appeal to your august authority against the final order of the local Government, dated 2nd November 1864, No. 307, which runs to this effect :—" The Governor in

"Council authorizes the Government Agent to issue to Khadur-oo-Nissa, nicka widow of Iftachar-"oo-Dowlah Bahadoor, the arrears of her late husband's pension, amounting to Rupees 1212-9-3. "He will at the same time inform her that the Government are unable to admit her to any "stipend."

2. It is with reference to this latter part of the order that the Government Agent "will at the same time inform her (memorialist) that the Government are unable to admit her to any stipend" that memorialist begs to appeal.

3. Memorialist's late husband, Iftachar-oo-Dowlah, was the second shadi son of Nasir-oo-Dowlah, a shadi son of Nusseer-oo-Dowlah, a son of Oomdut-oo-Nissa Begum, who was a shadi daughter of His Highness the Nawab Wallajah, and enjoyed, as such, a stipend of Rupees 25,000 per annum.

4. On the decease of Oomdut-oo-Nissa Begum, her stipend was distributed among her relatives, in which distribution memorialist's father-in-law had conferred on him a pension of Rupees 333-5-3 per mensem.

5. That, on the demise of the said Nasir-oo-Dowlah, the husband of memorialist applied for his portion of his deceased father's stipend, on the ground of his being the second shadi son.

6. That he was the second shadi son there cannot be the smallest doubt, nor indeed can any question be raised on that point. He was kindly and affectionately treated by his father during his whole life-time, and, not only so, he also executed documents to prevent further disputes as regards his legitimacy.

7. Those documents fully verified, viz. :—

I.—A Mahazin and Kavanamah, dated the 25th Rahabasadna, Heizira 1235, bearing the sign manual of highly respectable Mahomedans, and wherein it is declared that he had named Iftachar-oo-Dowlah as his eldest son by his shadi wife. And further, the like declaration was made by memorialist's father-in-law in the presence of the Cazee-ool-Moolk and the Mahakhana Moofties, and which declaration was signed and sealed by the several Cazees in the document, under date the 2nd Madiodanal, Heizira 1235.

8. This was done in accordance with the requisition of Government.

9. Further, the documents relative to the acknowledgments of her husband's legitimacy was registered in the late Supreme Court on the 26th March 1857 ; still yet more he addressed the local Government through the Nawab in 1850 and also through the then Agent on the 7th April 1851, which was long before his demise.

10. Your Excellency will be pleased to observe that all this was done to disprove the misrepresentation brought by parties inimical to him.

11. Memorialist's husband's legitimacy was sufficiently proved, nor would it have been at all questioned were it not that the eldest son and other claimants, self-interested, as they were, to misrepresent the real facts of the case, in view to enhance their own pensions.

12. But, notwithstanding all this and the undoubted claims which her husband had to a stipend equal to that bestowed on her husband's elder brother, and notwithstanding the report of the Agent on the 24th November 1858 to give him Rupees 90 per mensem, the local Government merely conferred on him a stipend of 42 Rupees, which he declined to accept as being inadequate to support himself and family, and to support him in his proper rank and dignity.

13. After the expiration of two years the stipend was granted in petitioner's name, and was continued to her up to the time of her husband's decease.

14. Subsequent to his death, the Agent, in his endorsement under date the 10th November 1864, states in repetition of the order of Government directed "the Agent to inform Khadur-oo-Nissa Begum that they are unable to admit her to any stipend" as it was for life only.

15. It is impossible to conceive how the local Government came to a conclusion like this. How, in the face of all these proofs, was her father-in-law not a legitimate grandson of His Highness the Nawab Wallajah?

16. Petitioner would very respectfully inquire whether the orders of Government is in accordance with the principles enunciated in the Treaty of 1801, or with the despatches of the late Honourable Court of Directors of the 11th March 1846.

17. Under all the foregoing circumstances, memorialist most humbly and respectfully solicits that your august authority will be graciously pleased to pass an order that her husband's stipend may be continued to her.

18. For which act of generosity and justice, memorialist, as in duty bound, shall ever pray.

MADRAS,
15*th June* 1869.

علامت نشاني قادر النسا منكوحه افتخار الدوله مرحوم

No. 30. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 13th July 1869, No. 231.

I am directed to forward, for transmission to the Right Honourable the Secretary of State for India, the accompanying memorial from Khadur-oo-Nissa Begum, nicka widow of the late Iftachar-oo-Dowlah Bahadoor, in which she claims the continuance of her husband's stipend in her name.

2. Iftachar-oo-Dowlah's father, Nasir-oo-Dowlah, was grandson of Wallajah, and received Rupees 333-5-3 per mensem. On his death in 1858, the Government Agent, in reporting upon the claims of his dependents, stated that there was one undoubted shadi son, that the second son, Iftachar-oo-Dowlah, claimed to be of the shadi relationship, and produced a duly attested document, that alluded to by memorialist, signed by Nasir-oo-Dowlah, in which he declared that Iftachar-oo-Dowlah's mother was a shadi wife, but no other proof of her marriage having been by shadi was adduced.

3. The other members of the family admitted that the document had been executed by Nasir-oo-Dowlah, and that Iftachar-oo-Dowlah had been treated as a shadi son; but attribute this reatment, and the execution of the document, to the father's partiality for his son. Some of them declared that a former document had been executed, in which Nasir-oo-Dowlah declared Iftachar-oo-Dowlah and his mother to be of the nicka relationship. From a subsequent letter of the Government Agent, it appears that Nasir-oo-Dowlah had been for a long time before his death in a state of mental ill-health.

4. The Agent, in consideration of the treatment which Iftachar-oo-Dowlah had received, recommended that 120 Rupees should be given to the undoubted shadi son, and 90 Rupees to Iftachar-oo-Dowlah: the sum of 330 Rupees in consideration of the advanced age of the recipients being apportioned, on the understanding that the grants were for life only, amongst the four sons; but Government, while approving the continuation of the whole stipend of Rupees 333-5-3 enjoyed by Nasir-oo-Dowlah, recognized Iftachar as at best only a nicka son entitled to one-fifth of the shadi son's share, and granted him Rupees 42 per mensem, as per margin, from 5th August 1858, the date of Nasir-oo-Dowlah's death.

	RS.
Shadi son	206
Iftachar-oo-Dowlah	42
Two sons, each	82
	330

5. Iftachar-oo-Dowlah refused to draw this stipend as being insufficient, and after two years it lapsed, according to rule. The Agent shortly after reported that Iftachar-oo-Dowlah was insane and in very distressed circumstances, and the Government accordingly sanctioned the re-entry of his stipend in the books, and its payment to his wife, the present memorialist. She drew it till his death in 1864, when she petitioned for its continuance to her, and for the payment of the arrears for the two years during which the stipend was undrawn. The Government, in the order now appealed against, acceded to the latter request, but refused to continue the stipend.

6. Though the order granting the stipend does not distinctly specify that the grants were made for life only, yet the recommendation of the Agent, which the Government acceded to, that the whole stipend should be continued, was made upon that proviso; and apparently upon this ground, and as it is not usual to continue stipends beyond the third generation, this Government refused petitioner's request.

(Signed) R. S. ELLIS,
Chief Secretary.

Proceedings of the Madras Government, Political Department, 14th July 1869.

Read again petition from Prince SOOBOOROYALOO of Kandy, dated 18th November 1867, recorded in Proceedings of Government dated 7th January 1868, No. 4.

Read also the following papers :—

No. 31. From G. L. MORRIS, Esq., Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George; dated Point Calimere, 25th June 1868, No. 103.

As directed in G. O., No. 4, dated the 7th January last, I have the honour to report on the petition addressed to Government by Prince Soobooroyaloo of Kandy.

2. Before giving a detailed account of petitioner's circumstances, I have the honour to state that he died on the 4th January last.

3. Petitioner was the nephew of King Moottoosawmy, being the son of his brother Iyasawmy Rajah and not the son of the brother or sister of Moottoosawmy's widow, as is supposed in paragraph 3 of the G. O. under reply. The said Moottoosawmy Rajah on his death left a widow named Vencadasamaul, whom petitioner calls the Queen Dowager. This lady adopted petitioner as her son, and, among the Kandians of his class, it appears that widows are competent to perform this ceremonial, which is customary and legal among them.

4. This lady was in receipt of a monthly stipend of 50 Pagodas, and, on her death, one-fourth of this sum, or 12½ Pagodas, was assigned to her adopted son, the petitioner. The practice of granting two-thirds of the allowance of a deceased, stipendiary to his successor, as is now in vogue among the Kandian pensioners, does not appear to have been the rule when the allowance in question was settled on petitioner.

5. From inquiry it appears that the said lady left to her adopted son a large family, consisting of several relations and servants who had grown old in the family service, and who had no other means of livelihood than the reduced pension of petitioner. Encumbered as he had been with so large a number of dependents, petitioner had much difficulty in maintaining them from his comparatively small allowance, more especially as the price of all necessaries has considerably risen for several years past. Thus, at his death, he left a family, consisting of nine members and thirteen servants, as shown in the margin, and was also deeply involved in debt. The amount of his liabilities, as now ascertained by the Sub-Collector, comes to Rupees 7000, which Mr. Best says was due to the insufficiency of his pension for the maintenance of his family. Petitioner had no other property or means of support than the allowance he drew from Government, and, consequently, there are no means by which the said debts can be liquidated.

Vencataramasawmy Rajah.
His brother.
His sister.
His wife.
His two daughters and three relatives.
Thirteen servants.

6. According to the rules now in force in the case of Kandians, petitioner would have been entitled to two-thirds of the pension of his adoptive mother, viz., 33⅓ Pagodas, or Rupees 116-10-8. If this scale is adopted, petitioner's surviving family, of which his eldest son, Vencataramasawmy Rajah, is the managing member, will be entitled to two-thirds of Rupees 116-10-8, *i. e.*, Rupees 77-12-6. Considering the helpless state in which petitioner has left his family, I trust that his case may be benevolently viewed by the Governor in Council and a recommendation made to the Ceylon Government accordingly, especially when it is remembered that petitioner was, on account of his having been adopted, the son and successor of Moottoosawmy, the last of the house of Kandy, and, as such, deserved more favourable consideration than had been shown to him.

7. As regards the other Kandian pensioners, I have embodied all the necessary information regarding their condition and means of support in the accompanying tabular statement. With regard to these persons I must remark that they are not generally in good circumstances.

8. There is, however, one case among those belonging to Moottoosawmy Rajah's section which requires special mention, and that is Dorasawmy Rajah. This individual is the nephew of the said Moottoosawmy, being the son of his brother Chinnasawmy Rajah. This Chinnasawmy Rajah was enjoying a pension of Rupees 43-12-0, and, by the rules now in force, his son Dorasawmy Rajah would be entitled to a pension of Rupees 29-2-8, which is the two-thirds of his father's allowance, whilst what he now enjoys is but one-half, or Rupees 21-14-0.

TABULAR STATEMENT showing the condition, &c., of the Kandian Pensioners and Emigrants residing in the Tanjore District.

No.	Names.	Relationship.	Monthly pension.			Date of authority sanctioning the pension.	Landed or other property or means of support possessed by each pensioner.	Number of relatives depending on each pensioner.	Remarks.
1	2	3	4			5	6	7	8
		Moottoosawmy Rajah's Section.	RS.	A.	P.				
1	Soobooroyaloo Rajah, (petitioner deceased,) his son Vencataramasawmy Rajah.	Adopted son of Moottoosawmy Rajah......	39	12	0	Not known... ...	None...	9	Is said to maintain thirteen servants besides.
2	Kumarasawmy Rajah...	Son of the late Ramasawmy Rajah, brother of Mootoosawmy Rajah and adopted son of first and second queen of the late Sree Rajadhi Rajasimhala Maharajah.	70	0	0	20th Sept. 1858...	Do.	16	number cannot be ascertained with accuracy.
3	Vencataramasawmy Rajah.	Adopted son of Lakshmi Devi Ammah, widow of Gilibilisawmy Rajah, maternal uncle of the late Moottoosawmy Rajah.	58	5	4	20th Nov. 1857.	Do.	5	
4	Bungarasawmy Rajah.	Second son of Iyasawmy Rajah, brother of Moottoosawmy Rajah, and adopted son of Minakshi Ammah, wife of Kannusami Rajah.	29	2	8	————1858.	Do.	1	
5	Gopalasawmy Rajah...	Third son of Iyasawmy Rajah, brother of Moottoosawmy Rajah.	29	2	8	————1864.	Do.	2	
6	Dorasawmy Rajah......	Son of Chinnasawmy Rajah, brother of Moottoosawmy Rajah.	21	14	0	29th Sept. 1838...	Do.	4	
		Sree Vikrama Simhalu Maharajah's Section.							
1	Muddukannamma	Third ex-queen of the late Vikrama Simhalu Maharajah,	125	0	0	Not known... ...	Do.	2	
2	Tyagasimhalu Rajah...	Adopted son of the late fourth ex-queen of do.	56	10	8	29th Oct. 1861, No. 478.	Do.	...	
3	Savitri Davi	Daughter-in-law of third ex-queen of do.	63	5	4	Not known... ...	Do.	...	
4	Vijayarajah Davi......	Widow of the late Subbanaranaindrasawmy Rajah, adopted son of the late second ex-queen of late Vikrama Simhalu Maharajah.	44	3	6	7th Jan. 1860, No. 14.	Do.	2	

5	Dharma Rajah...	Son of the late Natchar Ammah, daughter of the late fourth ex-queen of Kandy.	50	0	0	20th June 1860, No. 378, and 5th April 1862.	Do.	1	Each of these pensioners is reported to maintain servants and followers, but their
6	Mandalsawmy...	Grand-daughter of do.	16	10	8	Not known... ...	Do.	1	
7	Bagerathi Davi.........	Do. of do.	16	10	8	Do.	Do.	1	
8	Andala Davi...	Do. of do.	16	10	8	Do.	Do.	1	
9	Kumarasawmy Naick.	Father of Savitridavi, daughter-in-law of third ex-queen of Kandy.	29	1	6	Do.	Do.	6	
10	Kumarasubba Naick...	Son of the late Gampalasawmy Naick, and brother of Alegirisawmy Naick, son-in-law of the late fourth ex queen of Kandy.	37	0	0	Do.	Do.	5	
11	Chinnasawmy Naick...	Brother of Alegirisawmy Naick..................	18	4	0	Do.	Do.	6	
12	Vencatasawmy Naick.	Do. of do.	16	4	0	Do.	Do.	3	
13	Kuppammal...	Sister of do.	3	8	0	Do.	Two velis of land at Poodoocottah.	4	
14	Chakkani Ummal... ...	Wife of Chinnasawmy Naick, No. 11...	3	0	0	21st Nov. 1862, No. 462.	None................	...	
15	Komar Ummah.........	Niece of the late first ex-queen of Kandy... ...	15	7	4	Not known... ...	Do.	2	
16	Ammathali Ummal ...	Do. of do. do.	7	0	0	Do.	Do.	3	
17	Vencatasubbasawmy...	Second son of the late Kumarasawmy Naick, brother of first and second queens of the late ex-king of Kandy.	13	10	2	27th Feb. 1838...	Six velis of nunjah and punjah in Combaconum taluq.	3	
18	Bangaru Naick... ...	Nephew of the late first queen of Kandy	33	1	3	Not known... ...	None	6	
19	Vencatapadmanabasawmy Naick.	Son of the late Kistnasawmy Naick, brother of third ex-queen of Kandy.	19	6	4	Do.	Do.	2	
20	Kumarasawmy Naick.	Nephew of do.	6	4	0	Do.	Do.	12	
21	Vencatasawmy Naick ..	Do. of do.	3	8	0	Do.	Do.	3	
22	Dorasawmy...	Do. of do.	3	12	0	Do.	Do.	2	
23	Padmanabasawmy ...	Brother's son of Kumarasawmy Naick, No. 20.	2	8	0	Do.	Do.	...	
24	Bangaruthayi...	Mother of Padmanabasawmy Naick, No. 23...	2	0	0	Do.	Do.	1	
25	Chellammal...	Grand-daughter of the sister to the mother of the late ex-king of Kandy.	7	0	0	Do.	Do.	1	
26	Vencatasawmy Naick	Distant relation..	13	4	7	Do.	Do.	4	
27	Peroomal Naick... ..	Do.	2	8	0	Do.	Do.	1	
28	Kuppammal	Do.	2	5	4	Do.	Do.	4	
29	Krishnappa Naick ...	Do.	3	12	8	13th Dec. 1844.	Do.	2	
30	Mangathayi...	Do.	1	14	4	Do. ...	Do.	1	
31	Muttialusawmy Naick.	Do.	2	8	0	17th Oct. 1865...	Road Ma'stry at Poodoocottah, salary Rupees 10.	1	

TABULAR STATEMENT showing the condition, &c., of the Kandian Pensioners and Emigrants, &c.—*(Continued.)*

No.	Names.	Relationship.	Monthly pension. RS. A. P.	Date of authority sanctioning the pension.	Landed or other property or means of support possessed by each pensioner	Number of relatives depending on each pensioner.	Remarks.
1	2	3	4	5	6	7	8
	Sree Vikrama Simhalu Maharajah's Section—(Continued.)						
32	Muddalagiri Subbi Sunderi	An officer under the late ex-king of Kandy. Wife of the said officer. Sister of do.	14 0 0	4th Jan. 1854	None	12	See remarks in the preceding page.
33	Kannu	Servant	6 3 2	Not known	Do.	7	
34	Govindasawmy Naick.	Do.	14 10 6	13th Dec. 1844	Do.	5	
35	Gunaratnam	Do.	3 12 8	Not known	Do.	5	
36	Narayanasawmy	Do.	2 12 0	24th Dec. 1858	Deputy Constable in the Police Department, salary Rs. 10-8-0.	2	
37	Rukmanikanta	Do.	4 3 2	29th Aug 1851	None	...	
38	Panchanadam	Do.	1 14 4	1st Oct. 1856	Do.	2	
39	Vencatarengiah	Do.	2 12 0	7th Dec. 1858	Gumastah in the Department of Public Works, salary Rs. 15.	1	
40	Vecatasubba	Do.	2 12 8	4th Jan. 1854	None	3	
41	Dorasawmy Rajah	Nephew of the third ex-queen of Vikrama Simhalu Maharajah.	14 8 6	Not known	Do.	8	
42	Bangaruthayi	Do. do. do.	9 0 0	Do.	Do.	1	

TANJORE GOVERNMENT AGENT'S OFFICE,
POINT CALIMERE, 25*th June* 1868.

(Signed) G. L. MORRIS,
Government Agent.

No. 32. To the Right Honourable FRANCIS LORD NAPIER,

Governor of Madras.

The humble Petition of VENCATARAMASAWMY RAJAH, eldest son of the late Prince SOOBOOROYALOO of Kandy, lately resident at Negapatam.

Sheweth,

That petitioner's father lately memorialised the Government of Madras to recommend his case to the Government of Ceylon.

2. Upon this memorial (copy of which is annexed) His Excellency was pleased to order certain inquiries by the Collector of Negapatam.

3. Since this order was passed petitioner has had the misfortune to lose his father, who died on the 4th January last.

4. That petitioner has a brother and a sister, a wife and two daughters, all being very young and helpless.

		Years.
The age of the petitioner		23
Do.	of his brother	12
Do.	of his sister	10
Do.	of his wife	22
Do.	of his first daughter	6
Do.	of his second do.	1

5. That petitioner has no property of any description, and his father died involved in debt to the extent of upwards of 7000 Rupees.

6. That petitioner has not only to maintain his rank and position, but has to educate his brother and support his sister and also a great number of the old servants of the family. He has also to perform funeral rights and ceremonies of his father, which will cost a great deal of money.

7. That petitioner, therefore, prays that 1000 Rupees may be granted for the expenses of the funeral rites, as was allowed in the case of the late queen, and a pension adequate to the maintenance of his rank, and equal to some extent at least to his wants. The amount applied for by his late father will barely enable petitioner to do this, as his father could rely upon old friends both in India and Ceylon for occasional assistance, whereas petitioner is too young and totally unknown.

See eleventh paragraph of the annexed memorial.

8. For which act of gracious consideration, His Excellency's loyal petitioner, as in duty bound, shall ever pray.

3rd March 1868.

No. 855.

Referred to the Government Agent, Tanjore, for report.

(By order).

Fort Saint George,
26th April 1869.

(Signed) H. E. STOKES,
Actg. Under Secy. to Govt.

No. 33. From G. L. MORRIS, Esq., Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George; dated Chatubadu, 4th May 1869, No. 38.

In returning petition, No. 855 of 1869, addressed to Government by Vencataramasawmy Rajah, son of the late Prince Soobooroyaloo of Kandy, I have the honour to state that the memorial which petitioner says his father presented to His Lordship the Governor was referred to me for report in the Proceedings of Government under date the 7th January 1868, No. 4, upon which I submitted a full report upon the means and condition of petitioner's family as also upon the Kandians in general, (vide my letter, dated 25th June 1868, No. 103). I observe that no orders of Government have yet been received on the letter above mentioned.

2. Petitioner complains that he is suffering much since his father's death, as he has no means of livelihood except the pension which his father was enjoying.

3. I beg, therefore, that the Government will be pleased to pass early orders on my letter above referred to.

No. 34. MINUTE by His Excellency the PRESIDENT, dated 24th May 1869.

The accompanying papers have reference to the condition of the Kandian exiles and pensioners, who, as a measure of State policy, were in the early part of the present century transported to the Madras Presidency, and have since been maintained in the district of Tanjore at the expense of the Government of Ceylon. I ought to have brought the question sooner under the consideration of Government. The delay has been caused by a certain reluctance to initiate proposals which I fear, may not be acceptable to the Colonial Government; but I feel that there is a duty involved in this matter which ought no longer to be deferred.

2. The Kandian exiles, if I understand the matter aright, are divided into two classes, and derive their origin from two families which successively occupied the throne of Ceylon, and fell successively, in part by their own errors, in part it may be by the policy of the English Government. Whatever may be the share of culpability justly attributable to either, all are now the representatives of misfortune rather than of guilt in our eyes, and, no doubt, still more so in the eyes of the people of this country.

3. It cannot be the desire of Her Majesty's Government or of the Government of Ceylon that exile should take the form of punishment, or that it should be perpetuated after the motives of expatriation have ceased to be imperative. I venture, however, to affirm that the support awarded to the unfortunate class of persons under consideration is so inadequate to their natural wants as to leave them in actual distress, and I am disposed to believe, subject to the better judgment of the Colonial authorities, that the time has come when they might be sent back to their country.

4. An inspection of the list furnished by the Collector of Tanjore will show Vencataramasawmy Rajah a near relative and in some sort a representative of Moottoosawmy Rajah, a sovereign of Ceylon formerly in alliance with the English Government, in the receipt of a pension of £3-9-0 per month though invested with some of the obligations of distinguished rank and burdened with a train of relatives and dependents. Others closely connected with the same sovereign, nephews by blood and adoption, are endowed with monthly stipends descending from £7 to £2. These allowances are subject to a rapid system of diminution at the death of existing recipients. In another generation the progeny of these former princes will be placed in the position of domestic servants, in the next they will be reduced to the lowest level of helpless indigence.

5. In the other class of pensioners, known as the section of Sree Vikrama Simhalu Maharajah, some of the older female relatives of the dispossessed sovereign are still in the enjoyment of stipends which may be sufficient for the decencies of life; but the younger members of the race have already fallen to pensions of £1-12-0 and less, while the distant relations dispute for a pittance of a few shillings.

6. It strikes me that this state of affairs is not generous or politic. The victims of the past revolutions of Ceylon ought not to exhibit before the eyes of the people of India a picture of parsimony and neglect on the part of English authority.

7. If the Government of Ceylon deems it indispensable that these people should still be maintained abroad, they should be maintained in comfort, and not only in present material comfort but with some provision for education and for employment, in order that their descendants may not be reduced to unavoidable beggary or remain a burden on the State for ever. The Government of Ceylon might be requested, in my humble opinion, to despatch an officer to this country for the purpose of reviewing the condition of the exiles, first, with a view to the increase of their present scale of maintenance; and secondly, with a view to the education and eventual settlement of the

younger members of the two communities either in connexion with the land or in connexion with the public service.

8. But the Government of Ceylon should also, I think, be asked seriously to consider whether the exiles might not be permitted to return. Ceylon is now a settled and prosperous country. All traces of disaffection to Government, all elements of revolt or civil strife, have probably long since disappeared. Restored to their proper country, these unfortunate families would become objects of solicitude to Government; they would elicit sympathy; they would find protectors; and they would discover avenues to an independent and honourable existence, which will probably remain closed to them for ever here.

9. Such are my impressions respecting the position of the Kandian exiles in general. With reference to the particular petition from Vencataramasawmy Rajah, the son of Soobooroyaloo Rajah, lately deceased nephew of Moottoosawmy Rajah and adopted son of his widow, I think that Government should authorize the payment to him of a pension of Rupees 70* per mensem in anticipation of the consent of the Government of Ceylon, and that they should instruct the Resident at Tanjore to disburse to him a sum of money which may be deemed commensurate to the funeral solemnities of his father, Soobooroyaloo Rajah. In regard to the liquidation of the debt of Rupees 7000 contracted by the late Soobooroyaloo in consequence of the alleged inadequacy of his stipend, I think that the question may be referred for the consideration and inquiry of the Government of Ceylon, should they depute an officer, as proposed, to this country.

* This is the highest amount given in the class to which he belongs.

(Signed) NAPIER.

No. 35. ORDER THEREON, 14th July 1869, No. 232.

Resolved that the following letter be despatched to the Government of Ceylon.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 36. To the Honourable the Colonial Secretary, Colombo, dated Fort Saint George, 14th July 1869, No. 233.

I am desired by His Excellency the Governor in Council to forward, for the information of His Excellency the Governor of Ceylon, copies of the correspondence marginally noted, relating to the present condition of the Kandian pensioners who reside and draw their stipends in the Tanjore district.

Proceedings of Government, 7th January 1868, No. 4.
Letter from the Government Agent, Tanjore, dated 25th June 1868, No. 103.
Petition from Vencataramasawmy Rajah, dated 3rd March 1869.
Letter from the Government Agent, Tanjore, dated 4th May 1869, No. 38.
Minute by the Right Honourable the Governor, dated 24th May 1869.

2. The petitioner whose case is contained in the Proceedings of Government of the 7th January 1868, and who is styled Prince Soobooroyaloo of Kandy, died on the 4th January 1868. He was the nephew of King Moottoosawmy, being the son of his brother Iyasawmy Rajah, and, on the death of King Moottoosawmy, he was adopted by his widow named Vencadasamaul, styled the Queen Dowager, such adoption being, it is believed, in accordance with Kandian usage.

3. This lady was in receipt of a monthly stipend of 50 Pagodas, and, on her death, only one-fourth of this sum, or 12½ Pagodas, was assigned to her adopted son, the practice of granting one-third of the allowance of a deceased stipendiary to his successor now in force not having been the rule when the allowance in question was assigned to Prince Soobooroyaloo. As he is dead, it is only necessary to describe the family and dependents left by him. It may be added that, owing to the high price of the necessaries of life and the number of his dependents, Prince Soobooroyaloo

was, during his life-time, in great difficulties, and died, it is understood, involved in debt to the amount of 7000 Rupees. The family left by him consists of his son Vencatasawmy Rajah,

His brother,
His sister,
His wife,
His two daughters,
Three relatives, and
Thirteen servants.

4. According to the rules now in force, Prince Soobooroyaloo would, on the death of his adoptive mother, have received two-thirds of her pension, or Rupees 116-10-8 per mensem, and his son would now receive two-thirds of Rupees 116-10-8, *i. e.*, Rupees 77-12-6.

5. I am to state that, under the circumstances of the case, and having in view the indigent state of the family, their large number, and the great increase of prices in the Tanjore district, His Excellency the Governor in Council trusts that the Ceylon Government will be pleased to assign a pension of Rupees 77-12-6 to Vencataramasawmy Rajah.

6. I am also desired to call attention to the concluding paragraphs (7 and 8) of Mr. Morris' letter of the 25th June 1868 and to its enclosure, which affords detailed information concerning the other Kandian pensioners, and to recommend that the two-third rate of pension be granted to all those recipients of allowances who have succeeded to, and are now drawing only half of the sum enjoyed by those from whom they derive their rights to stipend.

7. This indulgence is, in the opinion of His Excellency the Governor in Council, justified in their case, as in that of Vencataramasawmy Rajah, by their indigent condition, which, during the last few years, has been aggravated by the greatly enhanced cost of living. This course will, it is observed, meet the case of Dorasawmy Rajah, specially mentioned by Mr. Morris in paragraph 8 of his letter dated 25th June 1868.

8. Although the arrangements above detailed will meet the exigencies of the cases to which the enclosed correspondence relates, I am directed by this Government to invite the attention of His Excellency the Governor of Ceylon to the Minute recorded by the President of the Council, in which the question of the return of the Kandian pensioners to their own country is discussed, and in which it is suggested that the Ceylon Government might with advantage despatch an officer to this country for the purpose of reviewing the condition of the exiled Kandians, first, with a view to the increase of their present scale of maintenance ; secondly, with a view to the education and eventual settlement of the younger members of the two classes of pensioners either in connexion with the land or the public service ; and thirdly, and this would, in the opinion of this Government, be the most satisfactory arrangement of all, to their return to their own country.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 37. Read the following letter from the Acting Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 21st June 1869, No. 333.

I have the honour to acknowledge the receipt of the order of Government noted in the margin, requesting the Advocate General's opinion, in consultation with the Government Pleader, relative to the disposal of the property of the Kalyana Mahal at Tanjore, consequent on the death of the chief surviving lady, M. Ladu Bhoyee Ummall.

Dated 27th May 1869, No. 176, Political Department.

2. I submitted the matter for the consideration of the Advocate General, and have also conferred with him and the Government Pleader thereon.

3. I now forward a copy of their Observations.

4. With regard to the information and proceedings required by the Advocate General and the Government Pleader in the third paragraph of their Observations, I have to state, for the information of Government, that I have obtained the papers therein referred to from the High Court, Appellate Side, and that it will, therefore, not be necessary for Government to obtain them.

5. I have, pursuant to the order of Government dated 15th June 1869, No. 1710, Revenue Department, marked on the Advocate General's papers a fee of Pagodas 40 or Rupees 140, being the usual fee payable to him, and have paid him that amount.

OBSERVATIONS.

Before pronouncing an opinion on the whole case and the course which the Government ought to adopt, there are several points on which we shall be thankful to obtain further information—

1st.—Did Ladu Bhoyee leave any will ; and, if so, can we get a copy of it ?

2nd.—Were the Government Promissory Notes ever endorsed over to Ladu Bhoyee, and in whose custody are they now ?

3rd.—A suit was instituted against Ladu Bhoyee in the Tanjore Court by some of the dependent ladies, to enforce the decree of the High Court, Ladu Bhoyee never, as they alleged, having given them anything for their maintenance since the decision in the Equity suit. The Civil Court dismissed the suit. The plaintiffs appealed to the High Court, who remanded the suit. We should wish to see the whole of these proceedings.

4th.—No interest should be paid on the Government Promissory Notes, pending our opinion.

5th.—Who is now in actual possession of the landed property ?

18th June 1869.

(Signed) J. B. NORTON,
Advocate General.
(Signed) J. W. HANDLEY,
Government Pleader.

No. 38. ORDER THEREON, 15th July 1869, No. 234.

Ordered that copies of the foregoing papers be furnished to the Government Agent, Tanjore, and that he be requested to supply the information sought for by the Advocate General and Government Pleader in the second and fifth clauses of their Observations.

2. Ordered also that the Accountant General be requested to withhold payment of interest on the Government Promissory Notes referred to in Clause 4 of the Observations until further orders.

3. The Government Agent, Tanjore, will advise the Accountant General of the numbers, dates, and amount of the Promissory Notes.

4. Sanction is granted for Rupees 140, the fee paid by the Government Solicitor to the Advocate General.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 39. Read the following Proceedings of the Government of India, Financial Department, dated Simla, 24th June 1869, No. 1383.

Read endorsement of the Foreign Department, No. 206, dated 2nd June 1869, on a letter from the Government of Madras, recommending that one-third, (viz., Rupees 20 per mensem,) of the political pension of 60 rupees per mensem, enjoyed by the late Mehur Katoon of Kurnool, may be continued with retrospective effect from 22nd February 1869, to her sister Karim Katoon, who was entirely supported by the deceased, and has now, at the age of 75 years, no other means of subsistence.

Resolution.—Sanctioned.

Ordered that a copy of the foregoing Resolution be forwarded to the Foreign Department, and to the Accountant General, Madras.

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt. of India.

No. 253.

Copy forwarded to the Government of Fort Saint George, with reference to their Chief Secretary's letter, No. 154, dated 5th May 1869.

By order, &c.,

Simla, Foreign Department,
Finance, 1st *July* 1869.

(Signed) C. GIRDLESTONE,
Offg. Under Secy. to the Govt. of India.

No. 50. Order thereon, 17th July 1869, No. 235.

Communicated to the Collector of Kurnool, with reference to his letter, dated the 22nd March last, No. 74.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt,

No. 41. Read the following Proceedings of the Government of India, Financial Department, dated Simla, 22nd June 1869, No. 1349.

Read Office Memorandum from the Foreign Department, No. 212, dated 5th June 1869, and enclosures regarding the sanction given by the Government of Madras, to an increase to the pensions of Auzeem-oo-Nissa Begum and Khader-oo-Nissa Begum, great granddaughters of the late Nawab Wallajah, from Rupees 23 to Rupees 50 per mensem each.

Resolution.—The Governor General in Council is pleased to confirm the sanction of the Government of Madras.

Ordered that a copy of the foregoing Resolution be forwarded to the Foreign Department, and to the Accountant General, Madras.

(Signed) R. B. CHAPMAN,
Offg. Secy. to the Govt. of India.

No. 246.

Copy forwarded to the Government of Fort Saint George, with reference to the correspondence ending with their Chief Secretary's letter, No. 158, dated 8th May 1869.

By order, &c.,

Simla, Foreign Department,
Finance, 29*th June* 1869.

(Signed) C. GIRDLESTONE,
Offg. Under Secy. to the Govt. of India

No. 42. Order thereon, 17th July 1869, No. 236.

Communicated to the Government Agent, Chepauk, with reference to G. O., dated the 8th May last, No. 157.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

Read the following papers :—

No. 43. From the Under Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort Saint George ; dated Simla, 31st May 1869, No. 944.

With reference to your letter, No. 116, dated 12th April 1869, I am directed to forward the accompanying copy of a letter from the Officiating Secretary and Treasurer of the Bank of Bengal, dated 19th May, and to remark that the Government of India are of opinion that the instalments from Sir Shurf-ool-Omrah Bahadoor, K.C.S.I., towards the payment of his debt to the Bank of Bengal, should be at the rate of Rupees 1000 per mensem, and that his conduct in the matter has been most reprehensible.

From the Officiating Secretary and Treasurer of the Bank of Bengal, to the Secretary to the Government of India, Financial Department ; dated Calcutta, 19th May 1869, No. 305.

I have the honour to acknowledge receipt of your No. 422, of 13th instant, and in reply to inform you that I have agreed to suspend further proceedings against Sir Shurf-ool-Omrah until the 19th June, during which time he will arrange with the Madras Government for deduction of Rupees 1000 from his salary, in payment of his debt to the Bank ; if this arrangement is not carried out the Bank, at the expiration of the above period, will proceed to take other measures for prosecuting its legal claim.

No. 44. From the Under Secretary to the Government of India, Financial Department, to the Chief Secretary to Government, Fort Saint George ; dated Simla, 28th June 1869, No. 1571.

I am directed to request that you will send an early reply to Financial letter, No. 944, dated 31st May 1869, regarding the re-payment by Sir Shurf-ool-Omrah Bahadoor, K.C.S.I., of the sum of Rupees 20,000 advanced to him by the Bank of Bengal at Allahabad.

No. 45. From the Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 8th July 1869, No. 241.

One from Salar Jung, dated 24th June 1869.
" Agent Bank of Bengal, dated 24th June 1869.
" Sir Shurf-ool-Omrah Bahadoor, dated 26th June 1869.

With reference to my letter, No. 235 of 5th instant, I have the honour to forward the documents, as per margin, received from Sir Shurf-ool-Omrah Bahadoor.

No. 46. ORDER THEREON, 17th July 1869, No. 238.

Recorded with reference to G. O., dated 8th July 1869, No. 222, and the letter to the Secretary to the Government of India of the same date, No. 223.

2. The documents referred to in the Government Agent's letter, No. 241, will be returned to him.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

Read the following papers :—

No. 47. TO HIS EXCELLENCY THE RIGHT HONOURABLE FRANCIS LORD NAPIER
BARON NAPIER, K.T.,
Governor of Madras.

MY LORD,

Being urged by circumstances of a domestic nature, which it would be unnecessary to enter into detail, I deem it requisite to lay the following facts for your Lordship's information :—

2. With a view to performing the marriage of my three daughters at one and the same time, I made my wishes known to the Political Agent who sanctioned the amount required for the expenditure of the ceremonies, &c. To carry out this object I looked out for suitable persons among

the respectable families of our caste, and, according to the established custom of my ancestors, selected the bridegrooms by casting lots in the presence of our patron deity, for each of my three daughters, and agreeably to such selection resolved upon performing their marriages respectively. But the senior Ranee Saheb objected to marrying the 2nd and 3rd Princesses to the persons thus selected by me, with a view of marrying them to persons selected by herself, and strongly persisted in maintaining her objection. Although, according to Hindu Law, the father has the undisputed right to choose the husband for his daughters, yet under consideration that my taking any peremptory action to enforce the marriages of the 2nd and 3rd Princesses would only tend to cause some delay and inconvenience, and it being necessary to complete the marriage of the 1st Princess immediately on account of her being more advanced in age, I at once proposed to the Political Agent to perform her marriage without delay, which he approved of, and sanctioned the necessary expenditure for the same.

3. Having fixed a day in last year for performing the ear-boring ceremony of my third daughter, I obtained the sanction of the Political Agent for the sum required for the same, and made every necessary preparation for the performance of the ceremony. According to the custom of our families, this ceremony is usually performed in the temple of our patron deity, and agreeably to such custom I proceeded to the temple together with my brother and principal state officers, and sent them to the senior Ranee's palace to bring the child to the temple, but the Ranee refused to send the princess to undergo the ceremonies unless I consented to go myself to the palace and to take her to the temple. For some time I have refrained from going to the senior Ranee's palace for reasons which, although satisfactory to myself, are of a nature I cannot explain to others. I have, therefore, sent my brother, and the principal officers of the State to persuade the Ranee by any means to send the child to the temple, and to tell her at the same time that I had no desire to come to her palace, but she nevertheless persisted in her refusal to send the child, although she was aware that myself, and all who accompanied me, remained there till evening without food, owing to which cause alone the ear-boring ceremony of the 3rd Princess is still delayed.

4. I have always looked to your Government as the protectors of my honour and dignity. I need not mention that it is necessary for the peace and welfare of society to keep women generally under reasonable control and subjection, and when they submit frivolous and groundless complaints to Government in purely domestic matters, they are in a manner encouraged to break through their conventional subjection by Government entertaining such complaints, and if such encouragement is held out to the Ranee in this instance so as to weaken my control in my domestic affairs even, with what confidence can I look to Government to support me in the exercise of my authority in public matters.

POODOOCOTTAH,
22*nd May* 1869.

I remain, &c.,
(Signed) RAJAH RAMACHENDRA
TONDIMAN BAHADOOR.

No. 1446.

Referred to the Agent to the Governor in Tanjore for report.

(By order,)

FORT SAINT GEORGE,
28*th June* 1869.

(Signed) H. E. STOKES,
Actg. Under Secy. to Govt.

No. 48. From the Government Agent of Tanjore, to the Chief Secretary to Government, Fort Saint George; dated Point Calimere, 3rd July 1869, No. 61.

I have the honour to return Government Petition No. 1446 of 1869, forwarded to me as Government Agent of Tanjore for report, since it has been addressed to Government by the Rajah of Poodoocottah and clearly, therefore, has nothing to do with me as Government Agent of Tanjore.

2. At the same time I beg to state that what the Rajah really complains against in this petition are the Orders of Government, dated 21st December 1868, No. 285, and 12th March

1869, No. 63, in the former of which the Government approved of the Political Agent's decision to increase the senior Ranee's allowance so as to put her on the same footing financially as the junior Ranee, and in the latter expressed their opinion on a remonstrance from the Rajah, that the course taken by the Political Agent was well-judged, and consequently declined to modify their previous order.

No. 49. ORDER THEREON, 17th July 1869, No. 239.

The Political Agent of Poodoocottah will inform the Rajah of Poodoocottah that the Government see no cause for modifying their orders of the 21st December 1868 and 12th March 1869, and decline to interfere in the matter contained in the letter above recorded.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

Read the following :—

No. 50. TO THE RIGHT HONOURABLE FRANCIS *BARON* NAPIER, K. T.,
GOVERNOR IN COUNCIL,
Fort Saint George.

From Her Highness M. KAMACHEE BOYE SAHIBA, State Queen Dowager of His late Highness MAHARAJAH SEVAJEE, Rajah of Tanjore.

MY LORD,

I beg most respectfully to solicit that your Lordship will be pleased to submit the accompanying petition to the Right Honourable the Secretary of State for India through His Excellency the Right Honourable the Viceroy and Governor General of India in Council with your kind support.

I beg leave to enclose a copy of the said petition for your Lordship's kind perusal.

I beg to remain, &c.,
(Signed) M. KAMACHEE BOYE SAHIBA.

No. 51. ORDER THEREON, 21st July 1869, No. 240.

As a memorial to the same effect as that above recorded was submitted in 1860 by Her Highness M. Kamachee Boye Sahiba of Tanjore through her Agent, Mr. John B. Norton, to the Right Honourable the Secretary of State, Sir C. Wood, and the general subject of the property of the Tanjore Raj and the provision to be made for the family was disposed of in his despatch dated 23rd October 1862, No. 83, to the address of the Governor General of India in Council, the Government are precluded, under Rule XIII. of the Memorial Rules, from forwarding the memorial now received from Her Highness Kamachee Boye Sahiba to the Right Honourable the Secretary of State.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 52. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 8th July 1869, No. 61.

The Government may probably be aware that the Sirkar of Travancore by old prescription had the power of treating as an escheat the property of a Hindoo who died leaving no heirs but such as had become converts to the Christian religion, or, indeed, to any religion other than Hindooism.

2. I have much pleasure in forwarding, for the information of Government, copy of a proclamation published by His Highness the Maharajah of Travancore, declaring that the Sirkar relinquishes all right to property thus left, which will henceforth descend to the natural heirs independently of religious considerations.

Vide *Travancore Gazette*, dated 6th July 1869, page 423.

3. Though of minor importance, I may add translate of a proclamation published in the number of the *Travancore Gazette* above mentioned abolishing certain fees levied and caste restrictions on the use of music at marriages, which also shows progress in the right direction.

No. 90.

PROCLAMATION.

By His Highness Sree Patmanabha Dausa Vunchee Baula Rama Vurmah Kolasekhara Kireetapati Munnay Sultan Maharaj Rajah Ramarajah Bahadur Shumsheer Jung, Knight Grand Commander of the Most Exalted Order of the Star of India, Maharajah of Travancore, under date the 17th day of Methoonom 1044 corresponding with the 29th day of June 1869.

WHEREAS it has hitherto been the practice of the Sirkar to assume such property as may have been left by a deceased person, being a Hindoo by religion and leaving no heirs but such as have become converts to a different religion; and whereas it is expedient to alter such practice; We hereby notify that, from and after the date hereof, the Sirkar relinquishes all claim to property so left, which will descend to the natural heirs independently of religious considerations, subject only to such public demands as would hold in the case of succession by Hindoo heirs.

All our officers concerned are hereby directed to take notice of these provisions and act accordingly.

(True Copy).

(Signed) G. A. BALLARD,
Resident.

Translation of the Proclamation No. 7 discontinuing Adiyara for "Pundalstanum," &c.

It has been usual amongst the Sudras and Illoovars of this country to pay certain Adiyara fees to the Sirkar, the former for adorning the Pandal, and the latter for the privilege of using tom-tom and songs, on the occasion of their marriages, &c.

The payment of these fees has been from this day discontinued for the benefit of the people, there being in future no objections to the use of the above privileges without payment of Adiyara.

Dated 20th Methoonom 1044.
2nd July 1869.

(True translation).

(Signed) G. A. BALLARD,
Resident.

No. 53. ORDER THEREON, 21st July 1869, No. 241.

His Excellency the Governor in Council has received with pleasure the proclamations enclosed in the letter from the Resident in Travancore above recorded, which affords evidence of the liberal spirit with which the administration of His Highness the Maharajah of Travancore is conducted.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt,

No. 54. Read the following letter from Messrs. ARBUTHNOT and CO., to the Chief Secretary to Government, Fort Saint George; dated Madras, 7th July 1869.

On the part of Mr. John VansAgnew we request you will be so good as to bring under the notice of the Government a claim which that gentleman has against His Highness Azeem Jah Bahadoor, and of which we desire to procure the adjustment out of the funds about to be made available for the payment of the Prince's liabilities. The circumstances of the case are as follow :—

2. In the month of January 1864, Mr. VansAgnew advanced to the late Sumsaum-ood Dowlah Bahadoor, upon two promissory notes of Rupees 5000 each, bearing interest at the rate of six per cent. per annum, the sum of Rupees 10,000. These notes have been renewed from

time to time as they fell due, and the interest has been paid down to 30th June 1868, the balance due on the 30th ultimo being the amount originally advanced Rupees 10,000, and one year's interest, viz., Rupees 600.

3. From the correspondence which is in our possession of the late Sumsaum-ood Dowlah, it seems clear that the money, if not in the first instance, was shortly afterwards made available for the uses of the Prince, in accordance with Mr. VansAgnew's intention.

4. Upon the decease of Sumsaum-ood Dowlah we submitted our claim on behalf of Mr. Vans-Agnew to Colonel Wilson, the Government Agent at Chepauk and Paymaster of Carnatic Stipends, and were referred by that Officer to Hyder Jung Bahadoor, the Chief Secretary of Prince Azeem Jah Bahadoor, and who had been directed by the latter to administer to the late Dowlah's estate. Hyder Jung Bahadoor referred us to one Ameer-ood Dowlah Bahadoor, the father of the deceased Dowlah, but he subsequently informed us that the claim had been duly recognised as payable in full by the Prince out of the funds that were to be placed at his disposal by the Government. After this assurance it appeared unnecessary for us to take any further step. Quite recently, however, it was brought to our knowledge that some question had been raised as to the admissibility of our claim as against the Prince, and in a letter, dated 28th June, Hyder Jung Bahadoor, in his capacity of Chief Secretary, gave us to understand that the claim had been included with some others amounting, in the aggregate, to Rupees 33,000, which had been submitted to the Prince by Sumsaum-ood Dowlah through his agent Gopala Rau, and that, in adjustment of this aggregate claim, a sum of Rupees 18,104 had been offered and accepted.

5. Upon receipt of this information we addressed a letter to Prince Azeem Jah for the purpose of pointing out to him the grounds upon which, as it appeared to us, Mr. VansAgnew's claim should be separately considered, and should be discharged in full. We forward a copy of the letter herewith.

6. The Prince has replied through his Chief Secretary, Hyder Jung Bahadoor, that he is willing to supplement the payment that may be made to us out of the funds to be loaned by the Government by a sum of Rupees 5000 payable by monthly instalments of Rupees 500.

7. While fully appreciating the ready manner in which the Prince has come forward with this offer, it will be more satisfactory both to Mr. VansAgnew and ourselves, and we believe also to His Highness, if the claim be paid off in full, and the account closed.

8. Being ourselves without any knowledge of the nature of the other claims that have been brought forward, we can only place before the Government, as we have endeavoured to do, the leading features of the claim we represent with the expression of our hope that a way may be found for its adjustment upon the surrender of the two promissory notes for Rupees 10,000 duly discharged.

From W. R. ARBUTHNOT, Esq., to His Highness Prince AZEEM JAH BAHADOOR; dated Madras, 29th June 1869.

I have the honour to address you on the part of Mr. John VansAgnew by whom, as your Highness is aware, the sum of ten thousand rupees was advanced, in the month of January 1864, to the late Sumsaum-ood Dowlah Bahadoor upon his representation, as is abundantly proved by the correspondence in my possession, that the money was to be employed for the furtherance of your Highness' interests.

2. Upon the death of Sumsaum-ood Dowlah the claim was submitted to your Highness' Chief Secretary, from whom I received a personal assurance that it had been duly recognised as one of those which were to be paid in full out of the funds which were shortly to be made available to you by the Government. I am now, however, at the eleventh hour, informed by him that it has been proposed to compromise the claim by the payment of one-half the amount, and that the grounds upon which this proposal has been based are as follow, viz., that the transaction was one between Mr. VansAgnew and the late Prince Sumsaum-ood Dowlah Bahadoor ; furthermore that

there are other debts for sums of money advanced to the late Prince which are to be similarly dealt with. In respectfully demurring to the proposed course, I beg permission to request your attention to the following considerations, viz. :—

1*st.*—To the assurance I received from Hyder Jung Bahadoor that I need give myself no further concern about this matter, inasmuch as the claim had been duly recognised for adjustment in full. This assurance was, of course, communicated by me to Mr. VansAgnew, to whom it will be a great disappointment if he finds that any doubt or any fresh question has been raised regarding it.

2*ndly.*—I would submit to your Highness, and would urge most strongly upon your consideration, that Mr. VansAgnew's claim is by no means of the same character as other claims with which, as I understand, it has been classed. This money was made available by Mr. VansAgnew to one of your Highness' family, and for your Highness' interest, not as an ordinary business transaction out of which he purposed to derive profit for himself, but entirely in consequence of the friendly feelings towards your Highness personally, by which he was actuated.

3. It would not have been difficult for a gentleman in Mr. VansAgnew's position to have found a more remunerative investment for his money; but while other persons made advances to you at high rates of interest, say at two per cent. per month and upwards, Mr. VansAgnew declined to receive more than six per cent. per annum.

4. I feel confident, therefore, that your Highness will allow that to class this claim in respect of money advances for the reasons abovenamed at six per cent. per annum in the same category with others, where the rate of interest has been at twenty-four per cent. per annum and upwards, would be very far from even-handed justice. Substitute, retrospectively, a twenty-four per cent. for a six per cent. rate of interest over a period of five-and-a-half years, being exactly that which has elapsed since the money was first advanced, and it will be found that Mr. VansAgnew's claim would amount to double and more than double the amount he now claims, which is as follows, viz. :—

	RS.
Principal of the debt	10,000
Interest from 1st July 1868 to 30th June 1869	600
	10,600

In the full confidence that your Highness, admitting the validity of the foregoing considerations, will arrange that the amount claimed, viz., Rupees 10,600, shall be duly provided out of the funds that are now about to be paid to you by the Government, I have, &c.

No. 55. ORDER THEREON, 22nd July 1869, No. 242.

The Government resolve to forward the foregoing letter, and its enclosure, to the Acting Government Agent, Chepauk, who, in communication with the Acting Government Solicitor, will endeavour to arrange that the proportion of Mr. John VansAgnew's claim against Prince Azeem Jah, which may be payable out of the loan of twelve lacs, shall be paid to Messrs. Arbuthnot and Co., instead of to Gopala Rau, the reputed agent of the late Sumsaum-ood Dowlah Bahadoor.

2. The Acting Government Agent is also requested to ascertain in each case, whether or not creditors who come up to receive payments out of the twelve lacs loan, have already filed their claims against Prince Azeem Jah before the Commissioner appointed under Act IV. of 1867, (Madras).

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

Read the following papers :—

No. 56. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 22nd June 1869, No. 822.

Account Department.

Referring to paragraph 2 of Proceedings, No. 199, of the 9th instant, I beg to state that the balance of the Budget allotment (Rupees 805-4-9) alluded to will be very far from sufficient to cover the travelling expenses of this Residency during the current official year. Previous to the receipt of the Government Order under acknowledgment it was my intention to have asked for an additional allowance to meet the charges of 1868-69; but the complete bills for that year have only just been received from the Dewans of Travancore and Cochin.

2. I may explain that the Budget provision in 1868-69 was Rupees (7000) seven thousand to meet the charges of 1867-68 and 1868-69, but the sums taken up were—

	RS.	A.	P.
For charges in 1866-67 and 1867-68	5,123	1	1
Do. in 1868-69	248	2	0

thus leaving the greater portion of the charges incurred in 1868-69, which now amount to Rupees (4581-0-2) four thousand five hundred and eighty-one and Pies two, to be met out of the Budget provision of 1869-70, which is only Rupees (3500) three thousand and five hundred.

3. Under these circumstances I beg to request that Government will be pleased to allow an additional Budget grant of Rupees (4581-0-2) four thousand five hundred and eighty-one and Pies two, exclusive of the amount provided for in the current year.

4. In anticipation of the Government sanction, I beg to forward a bill accompanied by vouchers amounting to Rupees (1886-4-11) one thousand eight hundred and eighty-six, Annas four, and Pice eleven. This amount, added to that sanctioned in Government Order under reference, will make up the arrear charges due for the past year, and sanction is requested accordingly to pay the whole amount, Rupees (4581-0-2) four thousand five hundred and eight-one and Pice two, out of the additional grant now applied for.

I., II., and III.

5. A separate bill with vouchers for charges incurred up to the 13th May 1869, amounting to Rupees (518-3-9) five hundred and eighteen, Annas three, and Pice nine, are enclosed, and I request the sanction of Government to the same being paid from the current year's Budget provision of Rupees (3500) three thousand and five hundred.

I. and IV.

6. I have taken steps to secure the punctual submission of bills in future.

Referred to the Accountant General for report.

FORT SAINT GEORGE,
2nd July 1869.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 57. From the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Fort Saint George, 8th July 1869, No. 97.

Budget and Resource Department.

In returning the accompanying letter from the Resident of Travancore, No. 822, dated the 22nd ultimo, together with its enclosures referred for my report, I have the honour to state that, as the charges are of a character which cannot be refused payment for want of provision in the Budget estimate, their payment, I think, might be sanctioned pending the adjustment of the grant later in the year. I would, however, ask Government to draw the attention of the Resident to the stringent orders recently received from the Government of India to limit the actual expenditure within the Budget grant, and the consequent necessity which will arise of retrenching the expenditure under other grants to meet the present deficiency.

No. 58. ORDER THEREON, 22nd July 1869, No. 243.

His Excellency the Governor in Council sanctions, pending an adjustment of the Budget grant later in the year, the travelling charges incurred by the officers of the Residency in Travancore between the 15th August 1868 and 30th April 1869 Rupees 1886-14-11, and between April and 13th May 1869 Rupees 518-3-9, amounting together to Rupees 2405-2-8.

2. A copy of the Resolution of the Government of India, dated the 31st March last, No. 1772, will be furnished to the Resident, and his attention requested to the Accountant General's letter pointing out the necessity for retrenching the expenditure under other grants to meet the deficiency in the allotment for travelling charges.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 59. Read the following letter from the Collector of Kurnool, to the Chief Secretary to Government, Fort Saint George; dated Kurnool, 13th July 1869, No. 238.

With reference to the correspondence noted in the margin I have the honour to inform you that Fazal Khatun, the widow of Hyder Ali Khan, last surviving son of Ghoolam Russool Khan, late Nawab of Kurnool, has applied for her pension of 125 Rupees monthly as granted by Government.

Political Department, Order of Government dated 9th October 1867, No. 281, paragraph 6.
My letter, dated 4th January 1868, No. 2.

2. Fazal Khatun drew her pension for three months and a half, and has never made an application for it since; her pension is, therefore, due for twenty months.

3. I have, therefore, the honour to request the sanction of Government to pay Fazal Khatun her pension in arrears from the date from which it is due, the beginning of November 1867.

No. 60. ORDER THEREON, 27th July 1869, No. 247.

His Excellency the Governor in Council sanctions the payment to Fazal Khatun, widow of the late Hyder Ali Khan, of the arrears due to her from November 1867, on account of the pension ranted to her in G. O., Political Department, 9th October 1867, No. 281.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

Read the following papers:—

No. 61. From F. LUSHINGTON, Esq., Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 20th July 1869, No. 104.

Book Department.

With reference to the Order of Government, No. 228, dated the 13th instant, Political Department, I have the honour to observe that the necessary arrangements will be made for the payments direct to the trustees for the liquidation of the secured debts of His Highness Prince Azeem Jah Bahadoor. But as the sum of twelve lacs, out of which these payments are to be made, is to be treated* as an advance to be recovered by the suspension of the increased stipend lately allotted to the prince until such time as the whole shall have been recovered, I request that you will inform me from what date the said suspension of the increased allowance is to take effect. The favour of an early reply is solicited to enable me to issue the requisite orders to the Secretary and Treasurer of the Bank of Madras.

* Vide paragraph 9 of the letter from the Secretary to the Government of India, Foreign Department, No. 1097, dated 26th September 1868, to the Chief Secretary to this Government, copy of which was sent to this office.

Referred to the Acting Government Agent, Chepauk, for early report.

FORT SAINT GEORGE,
22nd July 1869.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 277.

No. 62. Report called for by Government Endorsement on letter from the Accountant General, dated 22nd July 1869.

In a P.S. to his demi-official to the Acting Chief Secretary, dated 28th June 1869, Colonel Wilson mentions that "the easiest (for His Highness) mode of re-paying it (the loan) will be to commence by monthly instalments, from next month (July), of one twelfth of a lac, Rupees 8333-5-4." Arrears for July are due on 1st August.

2. It is mentioned in the letter forwarded for report that the loan is to be recovered by the suspension of the increased stipend lately allotted to the prince. The increased sum referred to is Rupees 12,500 per mensem, whereas Government in their Order, No. 248, dated 14th November 1868, paragraph 5, direct that "the payment on account of the advance of twelve lacs shall not exceed one lac per annum," *i.e.*, Rupees 8333-5-4 per mensem.

CHEPAUK,
26th July 1869.

(Signed) V. E. LAW,
Actg. Govt. Agent, Chepauk.

To the Acting Secretary to Government, Fort Saint George.

No. 63. ORDER THEREON, 27th July 1869, No. 249.

Resolved that the Accountant General be instructed to deduct a sum of Rupees 8333-5-4 from the monthly allowance of His Highness Prince Azeem Jah Bahadoor from the 1st of August next.

2. Mr. Lushington will be informed that this arrangement has received the approval of the Right Honourable the Secretary of State in his telegram of the 6th November 1868.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

A.

POLITICAL DEPARTMENT.

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21—25	——— The Acting Government Agent requested to report what, in his opinion, would be a suitable amount to be set apart for the maintenance of Huseni Begum from the stipend of her husband, from whom she is divorced.	14th Aug., No. 264.	....	....	416
26 & 27	*Kurnool Pensioners.*— Sanction of the Government of India requested to the grant of one-third of the lapsed stipend of the late Political Pensioner Wazeer-oo-Nissa Begum to her half-sister Khiznobee.	14th Aug., No. 265.	....	....	418
28—30	*Boundary Disputes.*—Copy of a letter from the Collector of the Godavery district stating that the Tahsildar of the Yernagudum taluq will meet the officer deputed by the Nizam's Government for the purpose of settling certain boundary disputes, transmitted to the Resident at Hyderabad.	14th Aug., No. 266.	....	27th May 1869, Nos. 47 & 48.	418
31 & 32	*Travancore.* — The Resident directed to take a proper opportunity of offering to His Highness the Maharajah of Travancore the congratulations of the Governor in Council on the safe delivery of Her Highness the Junior Ranee of a daughter.	14th Aug., No. 267.	....	18th Dec. 1867, Nos. 23 & 24.	419
33—36	*Carnatic.* — Two-thirds of the stipend drawn by the late Abdool Mooniam Khan Bahadoor directed to be continued to his family, and distributed in the proportions specified	14th Aug., No. 268.	....	....	420
37—39	*French Government.*—Accountant General authorized to issue the usual order to the Collector of South Arcot for the payment of the second instalment of the annual allowance due to France for 1869.	18th Aug., No. 270.	....	6th July 1869, Nos. 3—5.	422
40 & 41	*Mysore Pensioners.*—Permission granted for the payment, from the date of Rahmut-oo-Nissa Begum's death, of the pension of Rupees 15 per mensem sanctioned in August 1867 to Fatmah Begum.	19th Aug., No. 271.	....	30th Aug. 1867, Nos. 48 & 49.	423

POLITICAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of August 1869.

Read the following papers :—

No. 162.

No. 1. STATEMENT of cases received and disposed of in the Session Court at Poodoocottah, during the six months from January to June 1869.

Balance on the 1st January 1869.		Number of cases received during the six months from January to June 1869.		Total.		Disposed of.		Balance of cases remaining undecided.		Remarks.
Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.	
...	...	20	61	20	61	20	61	...	...	The number of Session cases disposed of during the six months to which this statement refers, is twenty against twenty-six in the preceding six months. There is no balance.

POINT CALIMERE,
17*th July* 1869.

(Signed) G. L. MORRIS,
Political Agent.

No. 161.

No. 2. STATEMENT showing the number of suits received by the Courts of Civil Judicature at Poodoocottah during the six months from January to June 1869, the balance inclusive, the number disposed of during the above period, and those remaining under inquiry.

Names of the Courts.	Balance on the 1st January 1869.	Number of suits received during the six months from January to June 1869.	Number of suits received from other Courts.	Total.	Number of suits referred to other Courts.	Remainder.	Disposed of.				Balance.					Remarks.
							Decreed on merits.	By Razeenamah.	Dismissed.	Total.	1866.	1867.	1868.	1869.	Total.	
1	2	3	4	5	6	7	8				9					10
The Maharajah's Appeal Court. Civil side	42	39	...	81	...	81	27	...	4	31	...	3	20	27	50	The work performed by the Rajah's Appeal Court, during the six months to which this statement refers, is unsatisfactory, the number of cases decided both in the Civil and Criminal sides being thirty-one and four, respectively, against forty-seven and eight in the preceding six months; that of the Civil Court is creditable since the number of cases disposed of during the past six months is 133 against 140 disposed in the second half of 1868. Sickness in the Rajah's family is a reason for the small amount of work done in the Appeal Court. The Rajah has been addressed on the subject. The Moonsiff's Courts have done well; the number of cases decided during the six months under report including suits on the Small Cause side being 4030 against 3340 disposed of in the preceding half year. The work of the Courts of Small Causes at the Kusba Town is very satisfactory, there remaining only ten cases to be disposed of at the end of the past half year.
The Maharajah's Appeal Court. Criminal side	2	4	...	6	...	6	4	...	...	4	...	...	...	2	2	
Civil Court	68	117	...	185	2	183	64	45	24	133	...	2	5	43	50	
Moonsiff's Courts. Kusba or Aulungoody. Moonsiff's side	98	1,004	2	1,104	2	1,102	329	310	291	930	...	2	30	140	172	
Moonsiff's Courts. Kusba or Aulungoody. Small Cause side	1	453	...	454	...	454	102	118	170	390	...	...	...	64	64	
Moonsiff's Courts. Trimayam. Moonsiff's side	137	1,020	8	1,165	...	1,165	407	322	321	1,050	...	...	...	115	115	
Moonsiff's Courts. Trimayam. Small Cause side	...	421	...	421	...	421	146	101	172	419	...	...	...	2	2	
Moonsiff's Courts. Koluttoor. Moonsiff's side	167	621	...	788	...	788	363	94	233	690	...	...	11	87	98	
Moonsiff's Courts. Koluttoor. Small Cause side	69	483	...	552	...	552	261	33	257	551	...	...	...	1	1	
Small Cause Court	...	403	...	403	1	402	224	95	73	393	...	...	...	10	10	

STATEMENT showing the number of Decrees, the execution of which is applied for the number executed and those remaining undisposed of in the Courts of Civil Judicature at Poodoocottah during the six months from January to June 1869.

Names of the Courts.	Balance on the 1st January 1869.	The number of Decrees, the execution of which is applied for during the six months from from January to June 1869.	Total.	The number of Decrees executed.	Balance outstanding.
Civil Court	22	119	141	124	17
Moonsiff's Court. Kusba or Aulungoody	32	733	765	682	83
Moonsiff's Court. Trimiyam	13	331	344	334	10
Moonsiff's Court. Koluttoor	26	430	456	432	24
Small Cause Court	......	324	324	319	5

POINT CALIMERE,
17th July 1869.

(Signed) G. L. MORRIS,
Political Agent.

To the Chief Secretary to Government, Fort Saint George.

No. 3. ORDER THEREON, 2nd August 1869, No. 252.

It appears from the foregoing returns that the work performed in the Appeal Court in Poodoocottah, during the half year ending 30th June 1869, was not, as compared with the work of the preceding half year, satisfactory.

2. The work of the other Courts, however, has been satisfactory, and it is observed that the number of suits remaining undisposed of on the 30th June last was 564, or twenty below the number which remained on the 31st December last.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 4. Read the following letter from the Acting Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 30th July 1869, No. 284.

I have the honour to inform you that yesterday during a visit I paid His Highness, the Prince observed that the first instalment towards repayment of the loan of twelve lacs, was to be deducted in August; stated that as his household arrangements for July (the present month) had not been made with a view to this plan, it would, if carried out, put him to much inconvenience; and finally requested that the first instalment should not be recovered till he drew his arrears for August in September.

2. When writing my report of 26th instant, called for by Government endorsement on letter from Accountant General, dated 22nd instant, I was under the impression that Colonel Wilson's statement, quoted by me, "the easiest (for His Highness) mode of repaying it,* will be to commence by monthly instalment from next month (July)" was made with the approval of the Prince; but as His Highness does not appear to have recollected this arrangement, if made, or at any rate not to have at once set about contemplated reductions in his establishment with a view to meet his diminished income, perhaps the Government may feel inclined to accede to the request made by the Prince, for which His Highness assures me he will feel much indebted.

* The loan.

No. 5. ORDER THEREON, 4th August 1869, No. 256.

With reference to the letter above recorded His Excellency in Council resolves to allow the repayment of the loan of twelve lacs to His Highness Prince Azeem Jah Bahadoor to commence in September next.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 6. From AMEER BEGUM, widow of the late Mirza Najuf Ally, residing at Vellore, to His Excellency the Right Honourable the Governor in Council, Fort Saint George ; dated 10th June 1869, No. 1426.

States that her father-in-law, Nirza Mahomed Raza, a Candahar Vakeel of Tippoo Sultan, was enjoying a monthly allowance of 25 Pagodas ; but after his demise a moiety of the same was granted to her husband from Two-Lac Fund, and that her father, who was a late Peishkar of Done, in the Kurnool district, supported her after the death of her husband. As her father departed his life on the 14th ultimo, and she is now utterly unprovided for, prays for the continuation of a portion of her husband's stipend.

No. 1426.

Referred to the Acting Sub-Collector, North Arcot, in charge of the Stipend Pay Office, Vellore, for report.

(By Order),

FORT SAINT GEORGE,
28th June 1869.

(Signed) H. E. STOKES,
Actg. Under Secy. to Govt.

No. 7. From the Acting Sub-Collector of North Arcot in charge of Stipend Pay Office, to the Chief Secretary to Government, Fort Saint George ; dated Vellore, 9th July 1869, No. 35.

With reference to the endorsement on Government Petition, No. 1426, of 1869, Political Department, I have the honour to report that petitioner Ameer Begum is the widow of Two-Lac Fund pensioner Najuf Ally, who died on the 23rd May 1852, being then in the receipt of Rupeees 43-12-0 per mensem from this office ; and as the pension was only a life-grant to Najuf Ally, (vide Extract Minutes of Consultation, dated 29th March 1844, No. 103,) no provision was made for his widow.

2. I beg to state that from inquiries instituted I learn that petitioner Ameer Begum had, since the demise of her husband Najuf Ally, been under the protection of her father Hyder Hoossain Khan, a pensioned Peishkar of the Kurnool district ; and, as this person also died at Vellore on the 14th May last, petitioner is now left in a state of utter destitution, having no friend or relative to whom she could look for support.

3. Under the peculiar circumstances of the case, I would beg to recommend that a life-pension of 10 Rupees per mensem may be sanctioned to Ameer Begum.

No. 8. From the Acting Sub-Collector of North Arcot in charge of Stipend Pay Office, to the Chief Secretary to Government, Fort Saint George ; dated Vellore, 16th July 1869, No. 38.

In answer to Official Memorandum, Petition Department, dated 15th instant, from the Acting Under Secretary to Government, I beg to state it was intended that the pension of Rupees 10 recommended to be granted to Ameer Begum should be made out of her late husband's (Najuf Ally's) lapsed pension of Rupees 43-12-0.

2. I am unable to furnish you with any information as to the capabilities or otherwise of the Two-Lac Fund to meet the charge, as no accounts of that Fund are kept in the Stipend Pay Office.

3. There is nothing to be found in the records of this office to show why Ameer Begum's claim to pension was not submitted to Government on the demise of her husband, Najuf Ally.

No. 9. ORDER THEREON, 4th August 1869, No. 257.

Under the circumstances stated, and with reference to the resolution of the Government of India, dated 24th December 1858, No. 7721, His Excellency the Governor in Council resolves to continue to Ameer Begum from the Two-Lac Fund pension of Rupees 43-12-0 per mensem enjoyed by her late husband, Najuf Ally, a monthly allowance of Rupees 10, with arrears from the 14th May 1869.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 10. Read the following letter from C. E. R. GIRDLESTONE, Esq., Officiating Under Secretary to the Government of India, Foreign Department, (Political), to the Chief Secretary to Government, Fort Saint George; dated Simla, 14th July 1869, No. 967T.

I am again directed to draw your attention to the resolution of the Government of India in this department, No. 578, dated 5th June 1868, regarding the levy of Nuzzerana on succession to Native States and Chiefships in India, and to state that His Excellency in Council will be glad to have the return called for in paragraph 3 thereof at an early date.

No. 11. To the Secretary to the Government of India, Foreign Department, (Political), dated Fort Saint George, 5th August 1869, No. 258.

In reply to Mr. Under Secretary Girdlestone's letter, dated the 14th ultimo, No. 967T, I am directed to enclose copy of a letter to the Secretary to the Government of India, Home Department, dated the 27th November 1868, No. 258, from which it will be seen that there are only two estates in this Presidency of the nature indicated in the Home Secretary's letter of the 11th August 1868, No. 797, and that it is not considered advisable to levy any Nuzzerana on succession in either case.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 12. Read the following letter from the Secretary to the Government of India, Foreign Department, (Finance), to the Chief Secretary to Government, Fort Saint George; dated Simla, 28th July 1869, Circular No. 281.

I am directed by His Excellency the Viceroy and Governor General in Council to request that you will prepare and forward, with as little delay as possible, a statement of the Mint or Mints of Native Chiefs at present in working condition in the Native territories connected with the Government of Fort Saint George.

2. It is desirable that the return should show—

I.—The political conditions under which the Mint has been established and is worked.

II.—The nature, title, and character of the coinage.

III.—The annual out-turn of the establishment, and the value of the coinage, as compared with that of the British Government.

IV.—The process of manufacture, and any particulars as to the artificers employed.

V.—The arrangements for the receipt of bullion, and the charges, if any, levied for its conversion into coin.

VI.—The general area of the currency.

3. A copy of certain Assay tables, lately prepared by the Assay Master in Calcutta, is herewith forwarded for your information and assistance.

No. 13. ORDER THEREON, 9th August 1869, No. 261.

Resolved that a copy of the foregoing letter be forwarded to the Resident in Travancore and Cochin, and that he be requested to furnish, at an early date, a statement of the Mint or Mints in the Travancore and Cochin Sirkars at present in working condition, in the form prescribed in paragraph 2 of the letter.

2. The copy of the Assay tables received with the letter adverted to will also be forwarded to the Resident with a request that it may be returned with the statement regarding the Mints.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 14. From Colonel R. S. WILSON, Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 1st July 1869, No. 233.

I have the honour to forward two applications for pension from two of the guards of honour of Her Highness Nawab Khyre-oo Nissa Begum Sahibah, who being worn out are entitled to the respective sums opposite their names, as per margin, agreeably to paragraph 29 of Extract from Minutes of Consultation, No. 230, dated 19th March 1857, and to request that it may take effect from the 1st instant.

Names.	Designation.	Monthly salary.	Personal and ancestral service.	Amount entitled to.
		RS. A. P.	Y. M. D.	RS. A. P.
Mahomed Hoossain, son of Mahomed Boorhan	Private	6 0 0	55 3 10	3 0 0
Abdool Khader, son of Shaik Madar	Naigue	7 0 0	48 7 3	3 8 0

No. 293.

No. 14A. OFFICIAL MEMORANDUM.

The Acting Under Secretary to Government, Public, &c., Departments, is directed, with reference to the Chepauk Agent's letter, No. 233, dated 1st July, to request that officer to state the amount of the worn-out guards' personal service ; on what grounds he has included their ancestral service in his statement ; what are their ages ; whether they have been medically examined ; if not, on what grounds they are stated to be worn out ; whether their services have been verified by record ; and whether or not this is the first case of claim to pension preferred under the order cited.

FORT SAINT GEORGE,
15th July 1869.

(Signed) H. E. STOKES,
Actg. Under Secy. to Govt.

To the Government Agent, Chepauk.

No. 15. From the Acting Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 19th July 1869, No. 267.

With reference to Official Memorandum, No. 293, dated 15th instant, I have the honour to mention that the personal service of the two guards of honour recommended for pension in Colonel Wilson's letter, No. 233, dated 1st instant, is that of the Private twenty-five years, and that of the Naigue twenty-eight years. The reason why ancestral service was included is because Government in their G. O., No. 230, dated 19th March 1857, paragraph 29, desired that these guards should be pensioned according to the scale laid down by the Government of India, which, by paragraph 11 of the above order, "was no doubt intended to be of general application" to all

servants of the Carnatic Sirkar; and as both the Civil and Military Servants of the late Nawab were pensioned by this scale, reckoning hereditary service, the cases under reference were disposed of in like manner. The age of the Private, according to the Sirkar records, is fifty-five years, and that of the Naigue forty-five years. They have not been medically examined; but the first is blind of both eyes, and the other debilitated and not fit for work. Their services have been verified by the Sirkar records, and these two are the first whose claims for pension have been preferred under paragraph 29 of that order.

No. 16.

No. 322.

MEMORANDUM.

With reference to the letter of the Acting Government Agent, No. 267, dated 19th July 1869, the undersigned is directed to state that it would appear that the right of Her Highness' Body Guards now to claim for pension the benefit of ancestral service, depends upon the question whether or not they would have been allowed to count it had they been pensioned with the rest of the Carnatic servants in 1857. It appears from the letter noted in the margin, that the names of the two individuals in question were entered in the Gratuity List No. 9, which was, under the orders noted, returned for revision, with a view to the "more respectable classes" of persons therein included being allowed the benefit of ancestral service, and admitted to pension.

Agent to Chief Secretary, No. 79, dated 29th March 1857.
G. O., Political Department, 19th March 1857, No. 330.
G. O., Political Department, 24th March 1857, No 244, paragraph 12.

2. These men's claims were not, however, further considered in consequence of their re-entertainment, (vide paragraph 4 of Agent's letter No. 79, dated 26th March 1857,) and consequently it is presumed that they were not among the sixty-one individuals entered in the supplemental pension list drawn up with reference to the Order of the 24th March, No. 244, paragraph 12, numbered 11, and referred to in paragraph 8 of G. O., 28th July 1857, No. 567. The lists are not on record in the Government Office. The Acting Agent is, therefore, requested to state whether these men belonged to the "more respectable classes" of servants, who, under the order above cited, were to be allowed ancestral service, that is to say, whether any men of similar class were included in the Revised List No. 11.

FORT SAINT GEORGE,
26th July 1869.

(Signed) H. E. STOKES,
Actg. Under Secy. to Govt.

To the Government Agent, Chepauk.

No. 17. From the Acting Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 27th July 1869, No. 279.

With reference to Memorandum, No. 322, dated 26th instant, I have the honour to mention that the two guards adverted to would have been allowed to reckon ancestral service had they been pensioned in 1857, but because, as asserted, they were entertained as guards of honour their names were not submitted in any of the lists drawn up with reference to G. O., Nos. 230 and 244, dated 19th and 24th March 1857. There are several men of a similar class (Military) in the Revised List No. 11, who were pensioned reckoning hereditary service.

No. 18. ORDER THEREON, 10th August 1869, No 262.

Under the explanation afforded in the Acting Agent's letter, dated 27th July, No. 279, and agreeably to paragraph 29 of G. O., No. 230, dated 19th March 1857, His Excellency the Governor in Council is pleased to grant to the individuals named in the margin, a Naigue and Private of the Body Guard of Her Highness Nawab Khyre-oo Nissa Begum, who have become worn-out and unfit for further service, pensions

	Personal and hereditary service.			Monthly pension.		
	Y.	M.	D.	RS.	A.	P.
Abdool Khader, Naigue.. ...	48	7	3	3	8	0
Mahomed Hoossain, Private...	55	3	10	3	0	0

at the rate of half their pay, or Rupees 3-8-0 and 3 Rupees, respectively, per mensem, to which their personal and ancestral service under the Carnatic Sircar entitles them.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 19. Read the following letter from the Acting Government Agent and Paymaster of Carnatic Stipends, Chepauk, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 4th August 1869, No. 291.

I have the honour to forward a copy of a letter from the Secretary and Treasurer of the Madras Bank, together with a copy of its enclosure, and, with reference to Government Order dated 8th July 1869, No. 222, request to be informed whether or not I am to deduct the Rupees 800 from Sir Shurf-ool-Omrah's stipend falling due this month.

From the Secretary and Treasurer of the Bank of Madras, to the Acting Government Agent and Paymaster of Carnatic Stipends, Chepauk; dated Madras, 2nd August 1869, No. 52-934.

With reference to the Proceedings of Government, dated 8th July 1869, No. 222, I have the honour to hand you herewith copy of a letter received from the Officiating Secretary and Treasurer, Bank of Bengal, Calcutta, intimating that the terms proposed for the adjustment of Sir Shurf-ool-Omrah's liability had been declined.

From the Officiating Secretary and Treasurer of the Bank of Bengal, to the Secretary and Treasurer of the Bank of Madras; dated Calcutta, 24th July 1869.

I have received your letter of the 16th instant with its enclosure, for which I thank you. I have, however, to inform you that the terms proposed had already been declined by the Bank. I regret to observe that the Madras Government, in granting Sir Shurf-ool extension of leave to reside in foreign territory, have furnished him with additional facilities for the evasion of his liability to the Bank.

No. 20. ORDE THEREON, 12th August 1869, No. 263.

Under the circumstances stated in the correspondence above recorded, it will not be necessary that any deduction should be made by the Government Agent from Sir Shurf-ool-Omrah's stipend on account of his debt to the Bank of Bengal.

2. The Bank have declined Sir Shurf-ool-Omrah's offer, and will, it is presumed, take legal steps for recovering the money due to them.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers:—

No. 21. From HOOSSAINEE, BEGUM, one of the daughters of the late Hyder Hoossain Khan, residing at Triplicane, Madras, to the Right Honourable the Governor in Council, Fort Saint George; dated 31st May 1869, No. 1396.

States that, on the death of her father, the sum of Rupees 200 out of his stipend was continued to petitioner's mother, brother, and sister, but the petitioner's claim was then overlooked on the only ground that her husband was in receipt of a monthly allowance of Rupees 40.

2. That the petitioner having been divorced by her husband, as per original deed of divorce within enclosed, and that as the petitioner, as the descendant of the Nabob Wallajah, prays that her case be favourably considered, and that the pension of Rupees 25 may be sanctioned in her name as it was done to the other brothers and sisters, and that the stipend be ordered to be paid with arrears from 16th December 1865, the date of divorcement.

3. Further states that she cannot claim any portion, of her husband's pension, as per order of Government of 28th July 1846, No. 289.

No. 22. From HOOSSAINEE BEGUM, of Madras, dated 17th July 1869, No. 1734.

With reference to her former petition of May last, soliciting a grant of an allowance out of her late father's stipend, states that the Government Chepauk Agent, to whom the said petition has been referred, asked her Vakeel whom she deputed as to her not having preferred complaint for the dowry, and also as to her present position and means of subsistence; that her Vakeel, who is well-acquainted with her circumstances, gave satisfactory explanation on the above points; that while it is so, one Khader Hoossain, a peon attached to the Agent's office, falsely represented to the Agent that she is supported by the surviving members of her father's family; that the statement given by her Vakeel is a correct one; that the truth of the same may be ascertained from the Assistant Agent, and that she is intending to submit a Mahazernamah, signed by several respectable stipendiaries, testifying to the truth of her distressed circumstances; that if the report of the Agent is based on the false information of his peon, it should not be taken into consideration.

2. Prays that, on consideration of the said circumstance, an allowance may be granted to her, with its arrears, from the date of her divorce out of her father's stipend.

No. 244.

No. 23. Report called for by Government Endorsement, dated 28th June 1869, No. 1396, on petition of Hoossainee Begum, daughter of the late Hyder Hoossain Khan.

Petitioner's father received a Carnatic stipend of Rupees 800 per mensem. On his death Rupees 200 per mensem were continued to his family, but petitioner received no share of this continuance, because she was married to a person able to support her, (G. O., 21st April 1860 No. 250). She now states that she is divorced from her husband; that she is, therefore, not entitled to support from him, and that consequently her claim to a share of her father's stipend must be considered to have revived. With regard to this claim I am directed to report "whether under the divorce petitioner receives, or is entitled to, suitable maintenance from her husband." I have, therefore, the honour to report that a divorced wife, as such, is not entitled to any support from her husband, but that, on divorce, her husband is obliged to pay the full amount of the settlement (maher) made on her at the time of her marriage. I beg to add that petitioner is not by the rules entitled to any share of her family stipend. A case in point will be found in petitioner's own family. On her father's death his divorced wife, Shureef-oo-Nissa, applied for a share of his stipend, but was refused.—See letter from this office to Chief Secretary, dated 5th April 1860, No. 364, paragraph 4.

CHEPAUK,
9th July 1869.

(Signed) R. S. WILSON,
Govt. Agent, Chepauk.

To the Chief Secretary to Government, Fort Saint George.

No. 265.

No. 24. Report called for by Official Memorandum, dated 12th July 1869.

Petitioner's nearest relations draw monthly stipends, as per margin, in right of her father. She is now living with her mother, and looking to her family for support, which she doubtless receives; although having no personal source of income, she cannot be said to be in indigent circumstances.

	RS.
1. Mother	25
2. Brother	50
3. Do	50
4. Sister	25
5. Do	25
Total...	175

2. On her marriage her dowry was fixed at Rupees 5000; but petitioner's late husband being a man of no property, she has no chance of recovering the amount, even could she afford to go to law.

CHEPAUK,
16th July 1869.

(Signed) V. E. LAW, Captain,
Actg. Govt. Agent, Chepauk.

To the Chief Secretary to Government, Fort Saint George.

No. 25. ORDER THEREON, 14th August 1869, No. 264.

His Excellency the Governor in Council is of opinion that Hoossainee Begum's late husband Sufder Hoossain should provide for her support, and that as he cannot or will not pay the amount of the settlement made upon her at the time of her marriage, a portion of his stipend should be set apart for her maintenance. The Acting Agent will report what, in his opinion, would be a suitable amount to be so allotted.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 26. Read the following letter from the Collector of Kurnool, to the Chief Secretary to Government, Fort Saint George; dated Kurnool, 27th July 1869, No. 266.

I have the honour to report the death of Political Pensioner, No. 37, Schedule A, on the list, named Wazeer-oo-Nissa Begum on the 18th June 1869.

Vide Ext. Mins. Cons. of Govt., No. 18, dated 29th January 1841.

2. The pension now lapsed was sixty rupees a month.

3. The late pensioner had a number of relations to whom she used to give small portions of the pension for their support; but I see no reason whatever for continuing any part of the lapsed pension to any except to Khizuobee, her half-sister, who was entirely dependent on the late Wazeer-oo-Nissa Begum, and is an old woman sixty-five years of age, and has no means of subsistence whatever.

4. I recommend she should be allowed as a charity a pension of twenty rupees per mensem, on the clear understanding that after her death no portion whatever will be allowed to any of her heirs.

No. 27. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 14th August 1869, No. 265.

I am directed to transmit copy of a letter from the Collector of Kurnool, reporting the death, on the 18th June last, of Political Pensioner Wazeer-oo-Nissa Begum, who was in receipt of a stipend of Rupees 60 per mensem, and recommending that one-third, or Rupees 20 of the lapsed stipend be continued for life to Khizuobee, the half-sister of the deceased, aged sixty-five years, who was entirely dependent upon her sister for support.

Dated 27th July 1869, No. 266.

2. His Excellency the Governor concurs in the recommendation of the Collector, and I am accordingly to request the sanction of the Government of India to the proposed grant, with effect from the 18th June last.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 28. From the Officiating First Assistant Resident at Hyderabad, to the Chief Secretary to Government, Fort Saint George; dated Hyderabad Residency, 6th July 1869, No. 2099.

In reply to your letter, No. 175, of the 27th May last, with enclosures, in regard to the settlement of the boundary disputes existing between certain villages in the Yernagudem taluq of the Godavery district and the adjacent villages in the territories of His Highness the Nizam, I am desired by the Resident to forward English translation of a note from His Highness the Nizam's Minister on the subject, and to request that you will be so good as to supply the information therein required* with a view to the necessary orders being issued to the Nizam's officer who may be selected to assist in inquiring into and settling the boundary disputes in question.

* NOTE.—Minister wants to know where the Nizam's officer is to go to, and whom he is to meet. On the receipt of this information orders will be issued.

Translation of a Note from His Highness the Nizam's Minister, to the Resident at Hyderabad, dated 25th June 1869, *No.* 1588.

In reply to your letter, No. 1057, dated the 26th Suffer, forwarding a communication from the Secretary to the Government of Fort Saint George with enclosure relative to the boundary disputes between certain villages of the Yernagudem taluq and the adjacent villages of the Hyderabad territory, and requesting that an official of the Nizam's Government vested with full powers may be deputed to meet the officer that will be nominated by the Collector of Godavery for the settlement of the disputes alluded to and that the name of the officer selected by the Sircar may be intimated with a view to his being furnished with a letter of introduction to the Collector of Godavery, I beg to state that either the 2nd or 3rd Taluqdar of Kummum will be deputed for the above duty, and I beg to be informed of the place to which this officer is to proceed and whom he is to meet. On the receipt of this information I shall issue the necessary orders on the subject.

2. The 1st Taluqdar has been directed to report whether the services of the 2nd or 3rd Taluqdar can be made available for the above duty: on the receipt of his reply the name of the officer selected will be duly intimated.

(True translation).

(Signed) G. A. BOSWELL,
Extra Assistant Commissioner.

No. 29. From the Collector of the Godavery district, to the Chief Secretary to Government, Fort Saint George; dated Cocanada, 2nd August 1869, No. 15.

With reference to the Acting Under Secretary's Official Memorandum, dated 15th ultimo, No. 289, I have the honour to report that the Acting Sub-Collector informs me that he considers the Tahsildar of the Yernagudem taluq best qualified to meet the official to be deputed by the Nizam's Government. The place of meeting should be Jilugumilli, a Police station on the frontier.

2. The enclosures of the Official Memorandum are herewith returned.

No. 30. To the Resident at Hyderabad, dated Fort Saint George, 14th August 1869, No. 266.

Referring to your Officiating First Assistant Mr. G. A. Boswell's letter, dated the 6th ultimo, No. 2099, I am directed to transmit copy of a letter from the Collector of the Godavery district, in which he states that the Tahsildar of the Yernagudem taluq will meet the officer who may be deputed by the Nizam's Government for the purpose of settling the boundary disputes referred to in my letter of the 27th May last, No. 175.

2. It will be observed that the Collector of the Godavery district recommends that Jilugumilli, a Police station on the frontier, should be the place of meeting.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 31. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Courtallem, 28th July 1869, No. 66.

I have the honour to forward, for the information of His Excellency the Right Honourable the Governor in Council, the accompanying copy of a letter* from the Dewan of Travancore, announcing the birth of a princess to the Junior Ranee, the niece of His Highness the Maharajah of Travancore. The event has caused much satisfaction to the royal family and people.

* No. 3044, dated 22nd instant.

From the Dewan of Travancore, to the British Resident of Travancore, &c., &c., &c; dated 22nd July 1869, No. 3044M-708.

I have the honour to inform you that Her Highness the Junior Ranee of Attingul, niece of His Highness the Maharajah, gave birth to a princess, (her fourth child and first daughter,) at half-past eleven o'clock, on the night of Tuesday, the 20th instant; an event which, as promising the continuance of heirs to the ancient Musnud of this State, is the occasion of much congratulation to the royal family and to the people of Travancore.

No. 32. ORDER THEREON, 14th August 1869, No. 267.

The Resident will take a proper opportunity of offering to His Highness the Maharajah of Travancore the congratulations of the Governor in Council on the safe delivery of Her Highness the Junior Ranee of a daughter.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 33. From MAHOMED JAFFER HOOSSAIN, on behalf of himself and other members of the family of the late Abdool Mooniam Khan, Bahadoor, Carnatic Stipendiary, dated May 1869.

States that, after the demise of his grandfather, an allowance of Rupees 950 was distributed among his six sons, two daughters, and wife, and that on the demise of several grantees herein named, the Government continued their pension to their children, grandchildren, and wives in different amounts as per annexed list, but the Government Agent, to whom petitioner applied on the demise of his father, *i. e.*, 17th July 1868, for continuance of his stipend, rejected his request. Prays that the same indulgence, as shown to the brother and sister's families of his father, may also be shown to the family of his late father.

No. 1219.

Referred to the Government Agent, Chepauk, for report.

FORT SAINT GEORGE,
12th June 1869.

By order,
(Signed) H. E. STOKES,
Actg. Under Secy. to Govt.

No. 245.

No. 34. Report called for by Government Endorsement, dated 12th June 1869, No. 1219, on petition of Mahomed Jaffer Hoossain, son of Abdool Mooniam Khan Bahadoor.

Petitioners are the grandchildren of Khan Jehan Khan, nephew of the Wallajah, who received a stipend of Rupees 1000 per mensem in 1801. He died very soon afterwards, and Government, as they usually did in such cases, continued almost the whole of his stipend (Rupees 950 per mensem) to his family. He left six (nicka) sons, to each of whom Rupees 100 per mensem were granted. One of those sons died in 1821, a second in 1823, a third in 1825, a fourth in 1847, a fifth in 1852, and the sixth (Abdool Mooniam, father of petitioners,) in 1868. To the families of all except the last some portion of their respective stipends were continued, and petitioners now pray that to them also some portion of their late father's stipend may be granted.

2. In reply to this request, I beg to draw attention to the dates given above as being those on which the various stipends in question lapsed. The ground on which petitioners rest their claim is that the other members of their family having received continuance, unless some continuance be granted to them also, there will be an injustice to them, and an inequality in the Government treatment of stipendiaries. The fact is, however, that if their prayer be complied with, instead of their receiving less than others, they will receive a great deal more, and there will be an injustice and an inequality in their favour. There can be no equality between the heirs

of a stipendiary who draws his stipend from 1803 only to 1821, and those of another who draws his from 1803 to 1868. The latter has drawn his full stipend for forty-seven years longer than the former has done. In that advantage his family has shared, and if they now receive the same continuation that the children of the first deceased did, it is evident that the bounty of Government will be very unequally distributed. The same reasoning applies more or less to the cases of all the five brothers of the deceased Abdool Mooniam. In no case is there a difference of less than sixteen years between the length of his tenure of stipend, and those of his brothers. The average difference is thirty-four years, which is something more than the length of a life.

3. By the Rules of 1846 and 1850, which are now in force, one uniform system is laid down for the continuance of Carnatic stipends. On the death of a stipendiary his own personal share of the stipend being discontinued, the remainder is to be distributed amongst those who were supported by the stipend at the time of the late holder's death. If the personal share of the late Abdool Mooniam Khan Bahadoor be rated at one-third of the stipend, the usual rate, two-thirds, will remain to be distributed amongst his family, (petitioners). But if this be granted, petitioners will now, in 1869, be put on the same footing as the children of their uncle, Zeyn-ool Abadeen, who died in 1821. I cannot consider such a settlement to be either reasonable in itself, or in accordance with the spirit of the rules. These rules do not, indeed, specially direct consideration to be paid to the length of time for which stipends may have been held; but they do direct that "each case shall be settled by Government on its own merits; and also that the continuance of Carnatic pensions to heirs depends in all cases on the decision of Government, with reference to the nature and extent of the claims of the family generally. " Under these directions, I consider that the length of time during which petitioner's family have drawn the full amount of their stipend should be taken into account, and that petitioners should not receive now more than one-third of the stipend drawn by the deceased. This was the amount granted by Government in a similar case that of Sultan Ahmed Khan, great grand son of Fukhr-oo-Nissa Begum, Nicka daughter of the Wallajah, (G. O., No. 190, dated 5th July 1867.)

5. I beg also to refer to the following orders of Government, recently passed, as illustrating the principle in question :—

15th September 1862, No. 366.

2nd August 1865, No. 197, (with letter from this office, paragraphs 6 and 7).

24th September 1866, No. 216, paragraphs 6 and 7.

5. Should the Right Honourable the Governor in Council approve of the recommendation made in paragraph 3 of this report, the following will be the distribution to each of the members of the family of the deceased, which, according to rule, will take effect from the date of Abdool Mooniam's death :—

	RS.	A.	P.
1. Shahzadi Begum, Shadi daughter	8	12	0
2. Fatima Begum, do.	8	12	0
3. Mahomed Jaffir Hoossain, Nicka son	3	8	0
4. Mahomed Azizuddin, do.	3	8	0
5. Rabiya Bibi, Nicka widow	1	12	0
6. Kurim Bibi, do.	1	12	0
7. Khader-oon-Nissa Begum, Nicka daughter	1	12	0
8. Zahir-oon-Nissa Begum, do.	1	12	0
9. Khatjah Begum, Nicka granddaughter	1	12	0
Total...	33	4	0

CHEPAUK,
10th July 1869.

(Signed) R. S. WILSON,
Govt. Agent, Chepauk.

To the Chief Secretary to Government, Fort Saint George.

No. 35. From the Acting Government Agent at Chepauk and Paymaster Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George ; dated Chepauk, 19th July 1869, No. 266.

In acknowledging Memorandum, dated 16th instant, I have the honour to observe that there is no clerical error in the scheme of distribution you refer to.

2. It will be seen that in the same paragraph of Colonel Wilson's letter from which your quote an extract, that officer goes on to say, "I cannot consider such a settlement either reasonable in itself, or in accordance with the spirit of the Rules," and explains why.

No. 36. ORDER THEREON, 14th August 1869, No. 268.

The Government do not agree with the Agent in the views expressed in paragraph 3 of his report. They do not think that the length of time during which a stipend has been drawn should in all cases be considered in determining the amount to be continued to the family of the Stipendiary. His Excellency in Council is accordingly pleased to direct that two-thirds of the stipend drawn by Abdool Mooniam Khan Bahadoor be continued to his family and distributed in the proportions specified in paragraph 5 of the Agent's report ; the stipends to be granted being in each case double those proposed, as shown in the margin.

	RS.	A.	P.
Shahzadi Begum, Shadi daughter...	17	8	0
Fatima Begum, do.	17	8	0
Mahomed Jaffir Hoossain, Nicka son...	7	0	0
Mahomed Azizuddin do.	7	0	0
Rabiya Bibi, Nicka widow...	3	8	0
Kurim Bibi, do.	3	8	0
Khadir-oon-Nissa Begum, Nicka daughter ...	3	8	0
Zahir-oon-Nissa Begum, do ...	3	8	0
Khatija Begum, Nicka granddaughter... ...	3	8	0
Total...	66	8	0

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 37. From the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Fort Saint George, 28th July 1869, No. 110.

Budget and Resource Department.

With reference to the Order of Government, No. 219, dated 6th instant, Political Department, I have the honour to inform you that the usual application of the French Government for the second instalment of the annual allowance due to them has not yet reached this office, and beg that the same may be forwarded in view to instructions being issued to the Collector of South Arcot for the payment of the amount, who has reported to me by a telegram that he has paid the same in anticipation of the orders of this Department, together with the sum of Rupees 11,502 referred to in the G O., No. 219, above quoted.

(*Translation*).

No. 38. From the Principal Secretary to the Government of Pondicherry, to the Chief Secretary to Government, Fort Saint George ; dated Pondicherry, 8th August 1869.

The Secretary to the Governor of Pondicherry presents his compliments to the Secretary to the Government of Madras, and has the honour to inform him that the second instalment of the annual allowance due by the British Government has been received already. It was drawn at Cuddalore by the Pondicherry Treasurer at the end of the month of July with the balance of Rupees 11,502, which formed the subject of His Excellency's letter to the Governor of Madras, dated 6th July last, No. 220.

(True Translation).

11th August 1869.

(Signed) J. W. LYONS,
French Translator.

No. 39. ORDER THEREON, 18th August 1869, No. 270.

The application from His Excellency the Governor of the French Settlements in India for the payment of the second instalment of the annual allowance appearing to have miscarried, the Accountant General is authorized to issue the usual order on the subject to the Collector of South Arcot, who, it is observed, has paid the money with the balance of Rupees 11,502 referred to in Mr. Bontemp's letter of the 18th June last, No. 4, of which a copy is annexed, in anticipation of orders.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 40. Read the following letter from the Acting Sub-Collector of North Arcot, in charge of Stipend Pay Office, Vellore, to the Chief Secretary to Government, Fort Saint George; dated Vellore, 13th August 1869, No. 43.

I have the honour to report to you, for the information of His Excellency the Governor in Council, that Rahamat-oon-Nissa Begum, nicka widow of the late Tippoo Sultan, died on the 1st instant, and request that permission may be obtained for disbursing from the date of the Begum's demise to her grand-niece and adopted daughter, Fatmah Begum, the life-pension of Rupees (15) fifteen per mensem, sanctioned in the Proceedings of the Madras Government, dated 30th August 1867, No. 243.

No. 41. ORDER THEREON, 19th August 1869, No. 271.

Permission granted accordingly.

(Signed) R. S. ELLIS,
Chief Secretary.

A.

POLITICAL DEPARTMENT.

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POLITICAL DEPARTMENT

PROCEEDINGS OF THE MADRAS GOVERNMENT

For the month of September 1869.

No. 1. Read the following letter from Messrs. SHAW AND TASKER, to the Chief Secretary to Government, Fort Saint George; dated Madras, 23rd August 1869.

We have the honour to enclose herein a petition from Ram Doss Narrain Doss, Soucar, to His Excellency the Governor in Council, and to request that you will submit the same to His Excellency in Council and communicate to us the resolution thereon.

To

HIS EXCELLENCY THE GOVERNOR IN COUNCIL,

Fort Saint George.

The humble Petition of RAM DOSS NARRAIN DOSS, the Administrator to the Estate and Effects of the late NARRAIN DOSS GOPAUL DOSS, a Soucar, deceased.

SHEWETH,

That His Highness Prince Azeem Jah Bahadoor is indebted to your petitioner, as such administrator, in the principal sum of Rupees 1,53,800 and interest thereon, upon and in respect of 40, Four Seals, Tunka Cutcherry Bonds, and one Cajanah Bond.

2. That your petitioner and other creditors, feeling themselves aggrieved at the terms upon which their claims were to be investigated under Act No. III. of 1867, petitioned His Excellency the Viceroy and Governor General of India to withhold his sanction to the said Act.

3. That your petitioner and the said other creditors received an unfavourable reply from His Excellency the Viceroy and Governor General of India; but they were thereby reminded that the said Act No. III. of 1867 took away from those persons to whom His said Highness was indebted no remedy which they then possessed, but that, on the contrary, so long as they wholly abstained from accepting the advantages thereby offered by the Government, they would be in precisely the same position as they were before the said Act was passed.

4. That your petitioner and the said other creditors thereupon petitioned the Right Honourable the Secretary of State for India in Council thereon, and, expecting daily a reply thereto, your petitioner did not prefer or put forward his claim under the provisions of the said Act No. III. of 1867 within the time prescribed thereby.

5. That your petitioner did, on the 10th day of June 1869, apply to the Commissioner appointed for investigating claims against His said Highness, to receive and register his claim, but the Commissioner has taken no notice of your petitioner's said application. A copy of your petitioner's letter to the Commissioner is hereto annexed.

6. That your petitioner is remediless in the premises in consequence of His said Highness being exempted from the process of Her Majesty's High Court of Judicature at Madras under Act No. XXXVII. of 1858.

7. Your petitioner, therefore, humbly prays your Excellency in Council that your Excellency will be pleased either to direct the said Commissioner to inquire into your petitioner's claim under the provisions of Act No. III. of 1867, or that your Excellency in Council will be pleased to grant your Excellency in Council's consent in the form prescribed by Section 1 of Act No. XXXVII. of 1858 to an action being commenced and prosecuted and such writs or processes as may be necessary or advisable being sued forth by your petitioner against His said Highness for the recovery of the amount due to your petitioner, and that such consent may be certified by the signature of one of the Secretaries to the Government, or that your Excellency in Council will be pleased to make such other order as to your Excellency may seem meet and the justice of the case demands.

8. And your petitioner will ever pray, &c.

MADRAS, (Signed) RAM DOSS NARRAIN DOSS.
23rd August 1869.

No. 2. ORDER THEREON, 1st September 1869, No. 276.

The Government observe that ample notice was given to the petitioner to enable him to file his claim before the Commissioner under Act III. of 1867.

2. He has failed to take the course prescribed by that Act, and there is nothing in the present petition which, in the opinion of Government, affords reasonable ground for interfering with the decision of the Commissioner refusing to admit the petitioner's claim after the expiration of the time fixed in the Notifications issued under Act III. of 1867.

(Signed) R. S. ELLIS,
Chief Secretary.

Read again the Proceedings of Government, Political Department, dated 22nd March 1869, No. 85.

No. 3. Read also the following letter from the Acting Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 18th August 1869, No. 309.

With reference to the latter portion of Proceedings of Government, No. 85, dated 22nd March 1869, I have the honour to forward a letter addressed to me, No. 16, dated 13th instant, from Auzum-oon Nissa Begum Sahibah.

TRANSLATION.

No. 16.

MADRAS, *13th August* 1869.

Auzum-oon Nissa Begum Sahibah presents her compliments to Captain V. E. Law, Acting Government Agent, Chepauk, and with reference to the Proceedings of Government, Political Department, No. 85, dated 22nd March 1869, on the subject of the claim preferred against her by one Manicka Moodelly received from the Agency in communication, No. 105, dated 23rd March

1869, begs to state that as Manicka Moodelly has taken no action in respect thereto, though a period of about five months has elapsed since the Order of Government quoted above has been passed, she is anxious that this matter should be finally settled, and not allowed to be extended *ad Græcas Kalendas.*

2. The Begum Sahibah consequently now begs to state that she is willing to waive the right of exemption from legal Proceedings which she enjoys by the favour of Government, or to defend any action which Manicka Moodelly or his representative may take against her in the Courts. The Begum Sahibah not only consents to Government giving the necessary permission alluded to, but she respectfully requests that such permission may be granted, so that the claim of Manicka Moodelly may be settled before an impartial tribunal, where every opportunity exists for eliciting the truth.

3. The Acting Government Agent will perceive that only reasons of a very powerful nature could have induced the Begum Sahibah voluntarily to waive, as she has done in this case, any of the privileges attaching to her rank, and will see proof of good faith in the readiness she has now expressed to be sued.

4. If the suit be brought against the Begum Sahibah she will cheerfully abide by the result; but she begs earnestly to urge her present request that Manicka Moodelly be called upon to avail himself within a reasonable time, say six months, from date of the Proceedings of Government quoted above, of the permission granted him to sue the Begum Sahibah, and if within that period he does not accept the challenge to impartial inquiry, the Begum Sahibah trusts that Government will acquit her of all impropriety of conduct in the matter, and afford her relief from the annoyance and expense which such claims as Manicka Moodelly's must occasion her.

(Sealed) AUZUM-OON NISSA BEGUM.

(True translation).

(Signed) SYED MOORTOOZA,
English Moonshee to
Auzum-oon Nissa Begum Sahibah.

No. 4. ORDER THEREON, 2nd September 1869, No. 278.

Resolved that permission be granted to Manicka Moodelly to bring an action for the recovery of his claim against Auzum-oon Nissa Begum, and that the following certificate be granted to him:—

"This is to certify that the Governor in Council of Fort Saint George, under the authority vested in him by Section 1 of Act XXXVII. of 1858, consents to action being commenced and prosecuted by T. Manicka Moodelly, against Auzum-oon Nissa Begum, for the recovery of the debt alleged to be due by her to him."

(Signed) R. S. ELLIS,
Chief Secretary.

No. 5. Read the following letter from the Secretary to the Government of India, Foreign Department, (General,) to the Chief Secretary to Government, Fort Saint George; dated Simla, 19th August 1869, Circular No. 1629.

It having come to the knowledge of the Viceroy and Governor General in Council that a firm in Birmingham is executing large orders for copper coin for some Native States in India, I am directed by His Excellency in Council to request that a careful inquiry may be quietly and confidentially made with the view of ascertaining whether any such order has been given by any of the States in the Madras Presidency, and, if so, what is the extent of the order and the name of the firm by which it is being executed.

2. I am desired to add that the Mint at Calcutta can execute all orders of the kind as cheaply as any firm in England and to the profit of the Government of India, and it seems desirable to discourage Native States as much as possible from employing any other agency.

No. 6. ORDER THEREON, 3rd September 1869, No. 279.

Ordered that a copy of the foregoing Circular letter be forwarded to the Resident in Travancore and Cochin for inquiry and early report.

2. Ordered also that copies of the letter be forwarded to the Government Agent at Poodoocottah and to the Collector of Bellary for report.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 7. From the Acting Agent to the Governor of Fort Saint George in Ganjam, to the Chief Secretary to Government, Fort Saint George ; dated Chetterpore, 3rd June 1869.

Adverting to G. O., Political Department, dated 5th May 1869, No. 152, I have the honour to report that the practice of kidnapping for immoral purposes does not prevail in this district.

No. 8. From the Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George ; dated Point Calimere, 15th June 1869, No. 55.

With reference to the Order of Government, dated 5th May 1869, No. 152, I have the honour to state that I find from inquiry that kidnapping for immoral purposes neither ever existed nor at present exists in Tanjore.

No. 9. From the Agent to the Governor of Fort Saint George in Vizagapatam, to the Chief Secretary to Government, Fort Saint George ; dated Vizagapatam, 28th June 1869, No. 252.

With reference to the Proceedings of Government, dated 5th May 1869, No. 152, calling for reports on the subject of the practice of kidnapping for immoral purposes in this district, I have the honour to state it does not exist.

2. I beg to forward a letter from the Assistant Agent, Mr. Turner, regarding the confinement of females under the guise of domestic servitude in the women's apartments of the Rajahs of Jeypore and Nourangpore. As long as no improper measures are resorted to to keep up the supply of their women, I do not think there is any opportunity or necessity for interfering with a long-standing custom of the country which gives rise to no complaints.

From the Acting Assistant Agent, to the Agent to the Governor of Fort Saint George in Vizagapatam ; dated Jeypore, 6th June 1869, No. 48.

I have the honour, with reference to Government Order, No. 152, of 5th May 1869, to report on the system of concubinage as practised in this division by the Rajahs and the wealthy natives.

2. Young girls of the ages of six to ten years old, who are either orphans without any means of living or the daughters of poor people who are unable to support them, are received into the houses of the Rajahs in the light of private domestics. When these are once settled down in the family they are unable to leave; they are not allowed to communicate with anybody outside the walls of the harem, which is guarded by Paicks; no marriages are permitted, and, though looked on as personal domestics, the Telugu word దాసివాండ్లు, which is given them, translated by Brown "A handmaid, slave, concubine, dancing girl," sufficiently defines their status. As they are never allowed outside there is no means of ascertaining what their own views on their condition may be.

3. The Rajah of Jeypore has about sixty of these females, the Tict Rajah of Nourangpore about thirty. The richer natives practice the same system; but, as they have no means of guarding their harems, a girl has an opportunity of running away if so minded.

4. Since we have taken up the country there have been only one or two assertions of disapproval made by the inhabitants of the harem. A girl did once manage to escape to Bustar. No cases of kidnapping have ever come before my notice.

No. 10. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Courtallum, 14th August 1869, No. 69.

I have the honour to acknowledge the receipt of the Proceedings of Government, No. 152, dated the 5th May last, and, in reply, to state that the Dewans of Travancore and Cochin inform me that no case of kidnapping for immoral purposes in Travancore and Cochin has come to their knowledge, and that they have no reason to believe that such practice prevails.

2. I have no reason myself to suspect that the practice prevails.

3. The reply of the Dewan of Cochin has only reached me to-day.

No. 11. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 7th September 1869, No. 281.

Adverting to the despatch from the Secretary of State, dated 4th March 1869, No. 46, I am directed to state that reports have been received from the Political Officers under the control of this Government noted in the margin, and that there seems no reason to suppose that any cases of kidnapping for immoral purposes have recently occurred in this Presidency.

Resident in Travancore and Cochin.
Agents to the Governor of Fort Saint George in Ganjam, Vizagapatam, and Tanjore.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 12. Read the following letter from the Acting Government Agent at Chepauk and Paymaster of Carnatic Stipends, to the Chief Secretary to Government, Fort Saint George; dated Chepauk, 1st September 1869, No. 325.

I have the honour to submit to the Right Honourable the Governor in Council the names of the Carnatic Stipendiaries named on the list overleaf, who desire the equivalents of their stipends.

2. These Stipendiaries draw their respective stipends under the orders of Government quoted opposite their names in that list, and I have the honour to recommend compliance with their several requests and furnish the amount of equivalent they can claim.

Numbers.	Names.	Authority.	Age.	Amount per mensem.			Amount per annum.			Value of 1 Rupee per annum.	Bonus.			Remarks.
			Y.	RS.	A.	P.	RS.	A.	P.		RS.	A.	P.	
505	Zyboon Nissa	G. O., No. 475, dated 19th Dec. 1857 ...	71	7	13	3	93	15	0	5	469	11	0	The commutations are in accordance with paragraph 4 of despatch from the Secretary of State, dated 22nd June 1860, No. 15, and Orders of Government, Nos. 2635 and 200, dated 11th November 1863 and 14th August 1865.
563	Goolshun	E. M. C., 23rd August 1842	86	2	8	0	30	0	0	5	1500		0	
716	Hoormut-oo-Nissa Begum.	Do. 9th May 1849	34	3	0	0	36	0	0	11	3960		0	
718	Takeer-oo-Nissa Begum ...	Do. do.	70	4	8	0	54	0	0	6	324	0	0	
849	Hulleem-oo-Nissa	Ex. Minutes of the Honorable the Governor in Council, dated 13th March 1829.	60	3	12	0	45	0	0	8	360	0	0	
1036	Meer Ally Hoossain.........	E. M. C., 28th July 1840	44	5	2	6	61	15	0	10	619	6	0	
2633/5	Mahomed Shahab-oo-Deen.	Do. 22nd March 1858, No. 197......	39	0	11	0	8	4	0	10½	86	10	0	
2764	Meer Zoolfuker Ally	Do. do. do.	46	4	0	0	48	0	0	9½	456	0	0	
2789	Meer Ally Sultan Mudah Khan.	Do. do. do.	74	5	0	0	60	0	0	5	300	0	0	
3181	Gaindee Beebee	Do. 8th June 1858, No. 370.	44	3	8	0	42	0	0	10	420	0	0	
3296	Mahomed Jalaul	Do. 14th July ,, ,, 447	19	2	4	0	27	0	0	12½	337	8	0	
4575	Hyath Bee.....................	Pros. of Govt., 22nd June 1866, No. 142.	29	0	14	0	10	8	0	11½	120	12	0	
4585	Mahomed Khassim	Do. 22nd Sept. 1868, ,, 206.	49	3	0	0	36	0	0	9½	342	0	0	
										Total...	4,381	15	0	

	RS.	A.	P.	RS.	A.	P.
Amount sanctioned for the commutation of the 1801 and 1855 stipends	...	...	...	50,000	0	0
Do. do. by Proceedings of Government, dated 13th July 1869, No. 229............	3,418	8	0	7,800	7	0
Now recommended............	4,381	15	0			
Still available...	...	...	...	42,199	9	0

1st *September* 1869.

(Signed) V. E. LAW, Captain,
Acting Government Agent.

No. 13. ORDER THEREON, 8th September 1869, No. 282.

Sanctioned.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 14. From the Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George ; dated Point Calimere, 26th July 1869, No. 72.

With reference to the Proceedings of Government, dated the 15th instant, No. 234, I have the honour to state that the Government Promissory Notes belonging to the Kalyana Mahal were endorsed over by me to M. Ladu Bhoye Ammal, as directed by Government in their Order, dated the 17th September 1866, No. 210. That lady had them in her own custody until her death, and they are now in the custody of her grandson, who is in actual possession also of the landed property.

No. 15. From the Government Agent, Tanjore, to the Chief Secretary to Government, Fort Saint George ; dated Negapatam, 21st August 1869, No. 79.

With reference to the Under Secretary's Official Memorandum, dated 12th August 1869, No. 347, Political Department, I have the honour to forward a copy of the Will left by Ladu Bhoye, and which has been furnished to me by her grandson, Yoganada Avaray.

No. 16. From the Officiating Tamil Translator to Government, to the Acting Under Secretary to Government, Fort Saint George ; dated Madras, 1st September 1869, No. 16.

I have the honour to forward herewith English translation of the Tamil document received with your Memorandum, No. 375, dated 27th ultimo.

2. The original is also returned.

The excellent Lady Ladu Bhoye Ammal, residing in Kalyana Mahal, in the palace of the district of Tanjore, writes this Will on the 26th February 1869 in favour of Sree Yoganada Avaray Sahib, residing in the said Kalyana Mahal, son of Soubakyavathi (blessed) Yogamba Bhoye, our daughter, and our grandson in the female line, and heir. The following, which are our property and which have been enjoyed by us for a length of time in the taluq of Tanjore on the register of the district of the same name, viz, the Nanja, Punja, and freehold lands, buildings, jungles, groves, and the like in the villages of Theruvadi, Gayathripuram, Mattikudi, Thevasthanam, Paramlaliur,

Sharapuliur, Thevasthanam Thingalur, Bramamur, Parambaliur, Kallakudi, and Uppukatchipetta; the palaces, mansions, dwellings, and grounds severally attached thereto in the village of Theruvadi; the upper-storied house, No. 204; the Agraharam of Kamatchi Amman pagoda; the upper-storied building, No. 1; thatched buildings, and grounds attached thereto, situate on the western side of the Melvithi (street) in Tanjore; all our property, real and personal; Government Promissory Notes, and the like; and all property whatsoever, real and personal, hitherto obtained by us, or likely to be obtained through Government and Civil Courts of all grades, as above detailed, and which are now in your possession and control. Inasmuch as we have no heirs beyond yourself, and are ourselves at present indisposed: you are, after our demise, to perform all funeral rites needful for the attainment of bliss in a future state, and to enjoy absolutely yourself, your sons, grandsons, and lineal descendants, all such real and personal property above described as in your possession; you are also to conduct, for the future, without defect or fail, each and every single charitable work, such as giving rice and the like, which we have ourselves hitherto conducted at the village of Theruvadi, and you are further to expend to the extent of 1500 Rupees on our funeral ceremonies.

Here follows six signatures in the Mahratta and Naggery characters.

Witnesses (Signed) Arunachella Pillai, Grocer in Syed Bazaar.

(,,) Kanari Chetti, Shop-keeper, do.

(,,) Shaik Ameer Sahib, Dealer in Europe Piece Goods, residing in Flower Bazaar, Ramasawmi Kovil Street.

(,,) Ujir Gopala Pillai, son of Saminada Pillai

(,,) Sabapathi Mudaliar, son of Subba Mudaliar, of Karunthattangudi Mudaliar's Street.

(,,) Savuranatha Pillai, son of Virpalanatha Pillai, Practicer in English Medicine.

(,,) Rama Subbia, Writer (of the Will), Manager of the freehold property at Theruvadi.

Matters connected with registration follow.

(A true Translation).

(Signed) W. JOYES,
Offg. Tamil Translator to Govt.

No. 17. ORDER THEREON, 11th September 1869, No. 283.

The foregoing papers will be communicated to the Government Solicitor, with reference to G. O., No. 234, dated 15th July last.

(Signed) R. S. ELLIS,
Chief Secretary.

Read the following papers :—

No. 18. From H. NEWILL, Esq., Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George ; dated Trevandrum, 22nd December 1868, No. 80.

I have the honour to lay before the Government a case of serious assault committed upon the Reverend W. Lee and his horsekeeper in August last, in the village of Punjalingapuram in South Travancore.

2. The matter formed the subject of a complaint to His Excellency the Governor on his late visit to that neighbourhood, and as the decision had only then just been passed, His Lordship considered it proper for the Missionaries, in the first place, to follow the usual course of preferring their complaint to the Resident.

3. There are also particular features in the case which render it desirable that I should place the whole matter before the Government.

4. The proceedings were forwarded by the Dewan in his covering letter, dated 5th ultimo, and are fifty-four in number. I send a further letter of the Dewan, dated 24th ultimo, which he requests me to lay before Government.

5. I deem it right to call attention to what appears to me to be a very serious imputation upon the body of Missionaries in Travancore. In paragraph 15 of his letter of 5th ultimo, the Dewan writes, " While on this point, I think it very desirable to be explicit, especially as some " of the Missionary gentlemen would (unless I am greatly mistaken) seem to be under the " impression that it would be quite lawful for them to take upon themselves the enforcement of " rights like that in question, even to the extent of shooting down those that would resist such " action."

6. In the next paragraph he adds, " It is, therefore, my duty to state that if any Missionary " gentleman thinks it not only lawful, but even laudable, to take upon himself the enforcement " of such rights to the extent of inflicting death, he is wrong in his view, and must not be " encouraged. On the contrary it would be well if he be undeceived in the matter."

7. Immediately after, however, in paragraph 18, the Dewan bears the following testimony to the general conduct of the Missionary gentlemen :—" It is, however, only due to the body of " European Missionaries in the country to acknowledge that, as a rule, to which very few excep- " tions can be pointed out, they have at all times abstained, where possible, from giving offence " to the non-Christian part of the population, and from giving occasion for any disturbance or " violence, but that their action has always been in support of the cause of order and peace. " While replete with zeal in the carrying out of their mission, that zeal has been tempered with " goodwill to all men, and forbearance, and a disposition to make allowances for the intensity of " the religious feelings of the bulk of the Hindoos, however mistaken such feelings might appear " to them to be."

8. It seems difficult altogether to reconcile this with what precedes it, unless the " very few exceptions" are intended to refer to " some of the Missionary gentlemen" who think it lawful and laudable to inflict death by shooting down opponents in the enforcement of their rights.

9. I have had considerable acquaintance, during the best part of five years, with the Missionary gentlemen, both of the Church Mission Society and of the London Mission Society, and although, with regard to the latter, I have had to notice one or two instances of indiscretion, I cannot conceive that the imputation above alluded to is warranted by any assumed attitude of the kind, or by any other circumstances.

10. To turn now to the case itself, Mr. Lee's memorial* conveys his view of it, and I would refer to the Proceedings of the Dewan Peishcar, (No. 53,) who seems to have held an impartial investigation, as giving an accurate review of the whole evidence, &c., with his finding upon it, including the Dewan's decision, which also is given in a separate paper, No. 52.

* A. Original sent.

11. The assault is unquestionably proved ; but Mr. Lee maintains that the award of punishment is insufficient for the ends of justice, or to secure the Missionaries and their people against

repeated attacks of the kind. This view is certainly borne out by the fact that, only a very short time afterwards, Mr. Lee had to complain that the girls of the Mission Boarding School at Augusteeswarum were molested in passing, as usual, through the *Shudra* village of Variyoor, and threatened with the same treatment as the Brahmins of Punjalingapuram had inflicted upon Mr. Lee and his horsekeeper, in case of their returning through the village.

12. The case was referred to the Dewan, two months ago, for immediate investigation, with the request that prompt steps should be taken to prevent further outrages. The disposal of the case has not yet been reported to me.

13. The assault in Punjalingapuram was a severe one. The Dewan classes all the offenders together, and fines them Rupees 30 each, which is certainly no great burden upon these wealthy Brahmins in the full enjoyment of their Agraharam. Two or three other offenders have since been tried and fined in the same amount.

14. I think the sentence extremely lenient, and certainly insufficient in the case of the ringleaders, who were singled out by the Peishcar, the infliction upon whom of a heavy penalty would have acted as a deterrent, which I fear is not the case with the sentence as passed.

15. The next point to be noticed in the decision is the onus thrown upon Mr. Lee to establish his right of way in a Civil Court. This, whether right or wrong, is virtually a settlement of the whole question, as a Christian Minister, according to the peaceful tenets of his religion, would seldom think it expedient to enter into litigation of this kind.

16. Another feature of this point is, that while the Brahmins were properly prohibited by the Magistrate from repairing the road outside the village, as tending to affect the case in a Court of Law, the Dewan immediately afterwards had a good cart road made at the Sircar expense. This, instead of leaving things in *statu quo* till adjudicated, will probably impose the further onus of proving that there was no cart road at all.

17. There is thus the spectacle of the main street being exclusively reserved for the Brahmins, and another circuitous road opened out for "Mr. Lee and such like persons." This example, which will readily pass into a precedent, cannot but be highly prejudicial in retarding progress in the removal of caste-prejudices.

18. The expression "Mr. Lee and such like persons" occurs in the Dewan's decision, and applying to the circumstances of the case, can have, I think, no other signification than that of placing the Missionary gentleman on a par with all the natives forming his adherents in respect to social status.

19. Now the Brahmins themselves seem to take no such view of the matter, for, in the general petition† to the Dewan Peishcar, they speak of "*Europeans* AND *low-caste people*," and I find no such classification as that in the preceding paragraph, contained in the translation of their depositions furnished to me by the Dewan; while on the other hand, one individual uses the same expression "*Europeans* AND *low-caste persons*." Mr. Lee further complains of the following expression made use of by the Dewan in his decision. "The defendants considered it objectionable that those whom they hold to be of the *low caste* should pass through their Agraharam," and urges that the Malayalum term employed for *low*, *nicha*, means low in a moral sense, and more properly corresponds with *vile*. Of this there seems no question.

† Document No. 40.

20. My remarks with regard to the former expression clearly show that, in the papers placed before me by the Dewan, there is no foundation for this statement which he ascribes to the Brahmins, and that the sentiment is that of the Dewan, who is thus responsible for the obloquy cast upon the Missionaries.

21. The Dewan quotes, in paragraph 27, the principles laid down by Her Majesty's Government, with reference to the disastrous disturbances in Tinnevelly in 1858, on the occasion of the funeral of a native Christian passing through the Brahmins street in that town as follows:— "The public high streets in all towns are the property, not of any particular caste, but of the "whole community, and every man, be his caste or religion what it may, has a right to the full "use of them." The Dewan adds "thus limiting the right to *public high streets in all* TOWNS."

22. It seems to me that the Dewan here begs the whole question just where it begins by basing the claim of the Brahmins upon the grant of the property. There seems little, if any, difference whether a Brahmin street happens to be Agraharam land or not, any "desecration of homes, wells, and shrines," as depicted by the Dewan, would apply as much in one case as the other.

23. When I viewed the whole locality with the Dewan Peishcar, he did not take any such view of the case, or consider that I was giving offence to the Brahmins.

24. It is to be here observed that the temple, although within the limits of the Agraharam, is *Sircar* and not *private* property, and that Sudras and others attend it as well as the Brahmins, and further that the Brahmins are not of the seclusive sect of Namburis, but secular Brahmins, the same as those in Tinnevelly.

25. This Agraharam appears in former days to have been connected with the Tinnevelly district, and I referred to the Collector and Magistrate there regarding highways passing through Agraharams. Mr. Longley's reply clearly shows that Agraharams are made no exceptions in the application of the general principles regarding the use of highways by all classes. His letter and enclosed Notification on the subject are appended.

B.

26. Taking the sketch the Dewan had prepared of the locality, it will be seen that an open road exists to the west of the Agraharam, and also that from its eastern extremity a cart road connects it with the main road to Punnagoody, and that the Brahmin street is in the same direct line. Hitherto there was no road whatever by which a cart could possibly go except through the Brahmin street, and it seems only a reasonable conclusion, that this has hitherto been a connecting link of the public communication for traffic.

No. 43.

27. Within no very distant period it has, no doubt, been the practice for the Brahmins in every part of the country to exclude many other castes from the thoroughfares near their dwellings, and to banish off these unfortunate persons to a distance of many yards from the highways on their coming the same road. The natural rights of all classes have, however, of late, been better understood and upheld in the British territories; but scarcely any progress has been made in this direction in Travancore, and from the tenor of the Dewan's letters I fear such is not likely to be made, though, on the other hand, it must be allowed that the opposing difficulties are greater in a Hindoo State than elsewhere.

28. A little incident may be here mentioned as showing how strongly the Dewan is disposed to uphold the prejudices of the Namburi Brahmins. Some little time back the latter came forward with petitions to revive "the ordeal of boiling ghee," which had long ago been denounced by the Government and the late Court of Directors as a cruel and barbarous practice. In the course of the discussion of the matter, the Dewan supported the proposal of the Namburis by strong arguments which would have gone far towards upholding the rite of suttee. I could, however, give no countenance to the subject, which accordingly dropped.

29. I have carefully gone through the evidence adduced in regard to Europeans and others having passed through the Brahmin street. The Brahmins themselves, who were examined, generally admit that a Resident passed through it. The name of General Cullen is mentioned by one, and the others do not give names. I myself with my party passed through it two years ago, and I never up to the time of this inquiry heard of any question being raised about it. The Brahmins confine their statements to the Resident, and would seem to wish to make it appear that this was a special case, and allowed out of deference to his high position. From the statement of other witnesses, chiefly Christian, and of the Reverend Messrs. Duthie and Lee, it would appear clear that Missionaries, as far back as some thirty years ago, from the time of the Reverend Messrs. Mault, Mead, Russel, and others, and also the Engineer and European Medical Officer, have been allowed to pass through the street, either with bearers, in a bullock cart or on horseback with a personal

attendant. It would, however, appear that the Missionary adherents generally took the circuitous route, and did not in a body pass through the Brahmin street.

30. As regards the course taken by the Dewan, much must, as he claims, be left to his discretion as the Magistrate who is responsible for the preservation of the peace, and his remarks in his letter of 5th ultimo are directed to this point.

31. The Dewan expresses himself apprehensive as to a funeral procession passing through the Brahmin street; but the evidence shows that there is a Christian Church at Augusteeswaram and another at Leepoorum, and doubtless burial-grounds attached as usual to each, so that there could be no grounds for this apprehension.

32. I have ascertained that the alleged robbery of Mr. Lee's bag has not been disposed of. It was snatched away in the affray by some of the party and thrown down a well, but the bag with its contents was afterwards restored, and the case seems scarcely to amount to one of robbery.

33. As to any action to be taken upon the proceedings in the case, it would seem inexpedient to disturb the sentence of the Dewan passed in accordance with what he considered to be the law in the case, and on the same ground to interfere with the ruling referring Mr. Lee to the Civil Court, though there seems ground for the Sircar to enunciate its views as to highways independent of the Civil Court as the British Government has done. These, however, as far as the Dewan is concerned, may be gathered from his letters.

34. There is, however, a suggestion which arises out of the proceedings in the case, which is this. It appears that all Magisterial trials, held by the Dewan Peishcars, must be referred to the Dewan for disposal, where the nature of such requires a higher punishment than a fine of Rupees 25. It seems also, from other correspondence, that the Dewan is referred to in cases committable to the Courts. This, in the eyes of the people, enables the Dewan to wield a very weighty power, the exercise of which is ascribed much to favouritism. This state of things tending to aggrandize the power of the Dewan in the judicial matters can only be detrimental to the proper administration of Magisterial duties.

35. I have recommended that the powers of the Dewan Peishcars and Tahsildars should be considerably extended, and that it should be left to them to exercise their discretion in the direct committal of cases to the Courts. I see no necessity for the Dewan to have higher penal powers than the Peishcars, whose powers will be made equal to those of the Dewan, who will thus be in the same position as the Chief Magistrate in a Collectorate, whose senior subordinates exercise the full Magisterial powers equally with himself. The general supervision of the Police and Magistracy would thus rest with the Dewan, and he would be relieved from the burden of many cases which are better disposed of by the local Magistrates or the Courts.

36. I regret that I should have had to extend these remarks to such length, but it seemed necessary that I should clearly place before Government my views of the case after the careful consideration I have given to it.

From Sir T. MADAVA ROW, K. C. S. I., Dewan of Travancore, to the Resident in Travancore and Cochin; dated Trevandrum, 5th November 1868, No. 4699-M1339.

As requested in your letter noted in the margin, I have the honour to forward, herewith, the record of the case of the Reverend W. Lee, *versus* certain Brahmins of the Agraharam of Punjalingapuram, commonly called Mahadanapuram, together with a list of the papers.

No. 871, dated 30th October 1868.

2. I beg to be permitted to avail myself of this opportunity to make a few explanatory remarks.

3. I may premise that the case, in effect, is one of a dispute of civil right, viz., the right of way through the Agraharam.* Mr. Lee, accompanied by his horskeeper, claimed the right, and the residents of the Agraharam would not allow such right.

* Agraharam means a group of Brahmin houses.

4. The circumstances may be stated somewhat more in detail.

5. On the morning of the 16th August last, Mr. Lee arrived at the western end of the Agraharam and wished to pass through. But a number of Brahmins, being residents of the Agraharam, met him at the point, and informed him that he could not pass that way. The resistance thus offered was unmistakable, for Mr. Lee himself describes it fully in his statement.

6. A different road close by was pointed out to Mr. Lee, by the Agraharam people, and Mr. Lee passed on by it. But he found it not good; and, therefore, before quitting the neigbourhood of the Agraharam, Mr. Lee informed those residents of the Agraharam who were with him that he would return the same evening, but would insist on passing through the Agraharam itself, in spite of the remonstrances which had been offered.

7. Mr. Lee returned the same evening. When he arrived at the eastern end of the Agraharam, he was met by certain residents of the Agraharam, and these tried to stop his progress. But Mr. Lee was not to be deterred, for he was resolved to enforce what he considered his right to pass through the Agraharam. His resolution to do what the Agraharam people regarded as desecration of their street, houses, well, and pagoda, provoked more active resistance. The residents assembled in numbers, and an affray ensued, in the course of which Mr. Lee was struck by some of the residents. Mr. Lee still went on and passed out of the Agraharam. A few minutes afterwards, he thought proper to return again to the Agraharam, one of his objects being, as he himself asserts, to demand explanation of the defendants as to why they had assaulted him. Mr. Lee accordingly met the residents again, near the Agraharam Pagoda, about which their greatest sensibilities cluster, and this provoked another assault.

8. This is the case which has been decided.

9. The conduct of the persons who took part on the assault on Mr. Lee cannot, by any means, be justified. They ought not to have committed the assault. If they felt aggrieved by Mr. Lee insisting on passing through the Agraharam accompanied by his horsekeeper, whom they regard as of low caste, they ought to have sought the intervention of authority.

10. In awarding punishment, however, an impartial judge was bound to take cognizance of circumstances tending to extenuate the offence. Believing, as the defendants appear to have done, that they had the right to prevent Mr. Lee and his horsekeeper passing, they thought likewise that they could act on the defensive. And it is well-known to all who have had experience in such matters how easily persons, beginning with the intention to act on the defensive, are led away beyond it; and this tendency is so great and natural that the laws of all enlightened countries deal leniently with it. Believing, as the defendants appear to have done, that their homes and wells and shrines were about to be desecrated, and that they had the right to prevent it in self-defence, they were too much excited to exercise that degree of self-control which would be requisite to suffer the supposed injury, and *then* to complain to proper authority.

11. These circumstances could not, in justice, be ignored in adjusting the measure of punishment.

12. It is quite evident that the defendants acted from no other motives than those stated above. They had borne no malice to Mr. Lee or his horsekeeper, and they were not lying in wait to assault them. These are matters of fact, and will be found borne out by the evidence on record.

13. Allowance was, therefore, made for the strong feelings entertained on matters of religion by the defendants; for the manifest provocation under which they acted, and for their belief (right or wrong does not very materially affect the case) that they had the right to prevent passage. Such allowance, I consider, is not the less due because Mr. Lee and persons in his position do not think that they inflict any real injury upon the Agraharam Brahmins by merely passing through the Agraharam. The fact and extent of such injury should obviously be judged from the point of view of the *recipients*, and *not* from that of the *inflictors* of the injury. In support of this

opinion, which has guided my decision of the case, I beg to draw your attention to the following remarks of the eminent framers of the Penal Code of British India :—

"We think it right to add that, though in our remarks on this part of the law, we have used "illustrations drawn from the history and manners of Europe, the arguments which we have "employed apply as strongly to the state of society in India as to the state of society in any part "of the globe. There is, perhaps, no country in which more cruel suffering is inflicted, and more "deadly resentment called forth, by injuries which affect only the mental feelings.

"A person who should offer a gross insult to the Mahommedan religion in the presence of a "zealous professor of that religion, who should deprive some highborn Rajpoot of his caste, who "should rudely thrust his head into the covered palanqueen of a woman of rank, would probably "move those whom he insulted to more violent anger than if he had caused them some severe "bodily hurt. That on these subjects our notions and usages differ from their's is nothing to the "purpose. We are legislating for them, and though we may wish that their opinions and feel- "ings may undergo a considerable change, it is our duty, while their opinions and feelings remain "unchanged, to pay as much respect to those opinions and feelings as if we partook of them.

"We are legislating for a country where many men, and those by no means the worst men, "prefer death to the loss of caste ; where many women, and those by no means the worst women, "would consider themselves as dishonoured by exposure to the gaze of strangers : and to legislate "for such a country as if the loss of caste, or the exposure of a female face, were not provocations "of the highest order, would, in our opinion, be unjust and unreasonable."

14. On the other hand, Mr. Lee too appears to have acted as he did in the belief that he had a right to pass, and that he could act in self-defence if resisted in the exercise of such right. Nevertheless, his proceedings cannot, in my opinion, be considered free from blame. From the resistance which had been offered in the morning, it was reasonable to expect stronger resistance in the evening, especially when he insisted upon passing a second time in spite of remonstrances. He appears to have been advised by some of his own people against his attempting to force his way through the Agraharam in the evening. Some of his own people, who accompanied him as far as the Agraharam, avoided accompanying him through it, but took another road. I think it was the duty of Mr. Lee, under the circumstances, to avoid risking so probable a breach of the peace, and this duty he could have performed quite consistently with adherence to his view of his right of way. The Reverend Mr. Sargent, when resisted in the exercise of his right of way through a street in the town of Tinnevelly in the year 1858, adopted the only proper course of laying a complaint before the Magistracy. Mr Lee could, without much inconvenience, have passed by another road, as he had done in the morning, and then sought the aid of constituted authority. A peaceful solution would then have easily followed. Though his belief in his supposed right extenuates his conduct, it cannot, I hold, justify it. It is obvious that if the law permitted persons to take upon themselves the enforcement of what they might suppose to be their right, breaches of the public peace must perpetually occur, impairing respect for the laws, and leading to general disorganization.

15. While on this point, I think it very desirable to be explicit, especially as some of the Missionary gentlemen would, unless I am greatly mistaken, seem to be under the impression that it would be quite lawful for them to take upon themselves the enforcement of rights like that in question, even to the extent of shooting down those that would resist such action. In such serious matters the utterances of authority ought to be clear and unmistakable ; and hence it is my duty to state my belief that the law would not at all tolerate such proceedings on the part of any person, and the European Missionaries ought to be the last persons to drive matters to such extremity, though of course it is certain that the Sircar would always use its very best exertions to afford them all due protection.

16. It is, therefore, my duty to state that, if any Missionary gentleman thinks it not only lawful, but even laudable, to take upon himself the enforcement of such rights to the extent of inflicting death, he is wrong in his view, and must not be encouraged. On the contrary it would be well if he be undeceived in the matter.

17. In the particular case under discussion, Mr. Lee's proceedings have been but mildly animadverted upon.

18. It is, however, only due to the body of European Missionaries in the country to acknowledge that, as a rule to which very few exceptions can be pointed out, they have at all times abstained, where possible, from giving offence to the non-Christian part of the population, and from giving occasion for any disturbance or violence ; but that their action has always been in support of the cause of order and peace. While replete with zeal in the carrying out of their mission, that zeal has been tempered with goodwill to all men, and forbearance, and a disposition to make allowances for the intensity of the religious feelings of the bulk of the Hindoos, however mistaken such feelings might appear to them to be. When two great religions systems—one the most expansive, and the other the most conservative in the world—are brought into juxtaposition, collisions attended with violence are, of course, apt to follow, unless one or other, if not both, of the parties be determined to act with prudence and judgment—qualities which the gentlemen I am speaking of have largely displayed.

19. I beg now to make a few observations in respect of that part of the decision of the particular case under consideration, which refers the parties to civil action to establish their alleged right.

20. When two parties are warm and excited in regard to a right of a civil nature, it is manifestly a wise provision of the law to refer them to civil action. The heat of the contention is thus given time to cool ; deliberation, so necessary in setting forth the grounds of a claim and satisfying the judge as to its soundness, follows with great advantage ; in short, the appeal is directly made to reason and evidence. The process of carrying a suit through a Court of Justice naturally prepares the mind of the weaker party, whichever that may be, to a defeat ; and, generally, the ultimate result thus evolved by a regular, methodical, and appointed process of argumentation, brings about a peaceful as well as a correct solution of the dispute.

21. So far as to the good policy of referring the hot disputants in a cause to the action of a civil remedy.

22. I may add that I felt I had no alternative in the case. It was not competent to me to undertake to decide the question of a purely civil right. The information before me was incomplete, as it necessarily must be, where the main object of the inquiry is not the adjudication of the question of right, but of guilt and punishment in respect of the offence. It is in conformity with the law of Travancore, as I believe it is also with that of British India, to limit magisterial action to punitive ends, and it would be contrary to that law for the Magistracy to attempt to encroach upon the province of a civil tribunal. It is upon this principle thousands of cases are decided in the country.

23. A question might here arise, why practically throw upon Mr. Lee the onus of seeking a civil remedy, rather than upon the defendants ?

24. I would, in the first place, premise that, in cases of doubt and uncertainty, the law gives the Magistracy the discretion of referring *either* of the parties to a Civil Court. So the Magistracy must be left to exercise this discretion to the best of its own judgment, and when once discretion is given, it would hardly be consistent with that discretion to question the way in which it is exercised.

25. But I am prepared to submit to you the chief reasons which weighed with me in using that discretion in the way I did, for, I can assure you that it was not used arbitrarily, but as the result of anxious deliberation.

26. Upon a *prima facie* view, the Agraharam people seemed to have right on their side. The Agraharam is situated, not in a city or town, but in an isolated country place. It is entirely a series of Brahmin houses closely packed, and no other. It lies *out* of the main public road. It has a well quite in the middle of it, and there is a pagoda right in the centre. The Agraharam purports to be *private property* from its very name, being styled "*Mahadanapuram,*" which indicates that it was the subject of a *great donation*. The residents produced in evidence a royal grant conferring upon them the exclusive proprietary right to the lands in which the Agraharam,

&c., are situate. Further, it appears in evidence, as you will observe, that the Agraharam was *not* used as a public street by native converts. These numerous circumstances appeared to me to outweigh the allegation of Mr. Lee that he and others had used the way before, for such use might have been simply permissive as distinguished from adverse, or it might have quite escaped the notice of the defendants. Be it noted that I am far from saying that I considered this preponderance, *conclusive*. All I say is that it appeared to me to be *prima facie* in favour of the defendants. This was one reason for referring, in the exercise of the discretion given me by law, the person who claimed the right to establish it in the Civil Court.

27. There was another and still more cogent reason. It was incumbent on the Magistracy to make such a temporary arrangement, pending civil adjudication, as would *best* insure the preservation of the public tranquillity. I felt that this paramount object would be far better served by referring Mr. Lee to civil action than the opposite party. If I had referred the residents of the Agraharam to a Civil Court, Mr. Lee and all his people would have had, in the interim, the liberty to pass and repass the Agraharam—a liberty which, once granted, must be granted entire, and not in fragments. With such liberty, what would have deterred Mr. Lee from using it fully, as, for instance, in carrying a *funeral procession* through it? I had reason to apprehend that, in the contingency of the Agraharam being really private property, as alleged by the defendants, the passing of a funeral procession of, for instance, a person who before his recent conversion to Christianity was a Shanar or a Pariah, would have given the greatest possible offence, as producing, in the view of the defendants, an irreparable injury to their religious interests: a feeling the intensity of which can be fully realized only by those who are intimately acquainted with the defendants and people of their class Serious riots might have ensued, not only in the particular locality to which the dispute was happily confined, but possibly throughout the country, as the decision given might not be known *together* with its limitation of being temporary and local till the Civil Court decided the question of right; but mistaken for the assertion of a general principle that *all* ways *throughout the country*, without any regard to their being *public* or otherwise, and irrespective of their being in towns or in sequestered country places, were open to all people without reference to caste: a principle which, in all its latitude, even the British Government is not, I think, at this moment prepared to enforce in their own territories, and which the people of Travancore are, from circumstances within your knowledge, the least prepared for. Indeed in reference to the riot which occurred at Tinnevelly, and which had to be suppressed with severe measures in 1858, Her Majesty's Government declared that "the public high streets in all "towns are the property, not of any particular caste, but of the whole community, and every man, "be his caste or religion what it may, has a right to the full use of them:" thus limiting the right to *public high streets in all* TOWNS.

28. In short I felt that much less risk of disturbance of the peace would be incurred by referring Mr. Lee to a Civil Court, than the contra party. I felt that if open disturbance did not ensue, still the scenes of 1859 might be re-enacted, to the manifest embarrassment of the Sircar and people.

29. I need not state that the Magistracy is quite at liberty to interfere with even *undoubted* rights, in view to prevent disturbances. An instance may be pointed out in which the Magistracy in England, very recently, prevented a gentleman from delivering a lecture against the Catholic religion; the prevention being on the ground that, in consequence, a riot might ensue. *A fortiori*, therefore, might the Magistracy act similiarly in a case where the right in dispute was not only *doubtful*, but the balance of evidence inclined in favour of the *defendants*.

30. I might also cite in support of the course pursued by me the action taken by the Tinnevelly Magistracy previous to the riot at Palamcottah in 1858.

31. My knowledge of the state of feeling in the country, and my general experience extending over a period of twenty years in Travancore, and my particular experience gained in the disturbance which took place in South Travancore in the year 1859, together with the several reasons above recorded, with others which cannot all be exhaustively stated, combined to dictate

the course which I took as the one most fit to be taken under the circumstances by the Magistrate responsible for the peace of the country.

32. I am not unaware that a policy of progress requires that all unnecessary impediments to the right of using the public roads should be removed. While this object ought to be, and is kept steadily in view and advanced temperately, and as opportunities present themselves, it is, I submit, obviously undesirable to press that object to the possible prejudice of the rights of private property, and so as to cause disaffection and discord in large and sensitive sections of His Highness' subjects.

From Sir T. MADAVA ROW, K. C. S. I., Dewan of Travancore, to the Resident in Travancore and Cochin ; dated Trevandrum, 24th November 1868, No. 4998-M1422.

Since I addressed you the official communication noted in the margin, on the case of the Reverend Mr. Lee, *versus* certain Brahmin inhabitants of Mahadanapuram, it has occurred to me that it is not improbable that the whole correspondence will pass to the notice of the Madras Government, in which case I should desire that it should be accompanied with a few additional remarks in further explanation of the action taken.

No. 4699-M1339, dated 5th November 1868.

2. I am aware that the Reverend Mr. Lee and his friends are dissatisfied with the decision passed in the case. It would be quite superfluous for me to say that this circumstance alone can be no evidence of the unsoundness of that decision. The difficulty of satisfying a party interested in a case is proverbial.

3. But I may state, for your information, that the contra party are also dissatisfied. They are dissatisfied because they were fined for having (as they consider it) simply acted in self-defence, and because their street was not *conclusively* declared to be what it *prima facie* appeared to be, namely, a private street.

4. Mr. Lee and his friends suspect that the Magistracy acted under a bias in favour of the contra party ; but the contra party, on the other hand, as well as the Hindoo inhabitants of Travancore in general, seriously entertain the impression that the Sircar is too much influenced by a leaning to Missionary views, and that, while the State religion is Hindooism, the State is identifying itself with efforts directed against that religion.

5. But be all this as it may, the decision itself was given after the most anxious and patient and dispassionate consideration.

6. I had quite anticipated that Mr. Lee and his friends would not be satisfied with that decision. I had fully foreseen that the decision given would be exposed to very hostile criticism. But I felt bound, as I ought to feel, to discharge my duty without reference to what either party might consider in reference to that decision.

7. If there was any temptation at all to err, there was much of such to err on the side of the European Missionary. If a decision in favour of Mr. Lee had been given, nearly the whole of the Missionary body in South Travancore would have accorded united praise to the Dewan for his enlightenment, &c. ; and I need hardly state that this body is more influential than the inhabitants of Mahadanapuram Agraharam. By deciding in favour of Mr. Lee much unpleasantness could have been avoided, namely, that involved in answering the complaints of men far more able than the Agraharam Brahmins in giving utterance to dissatisfaction.

8. But, as I have already said, I had to perform my duty quite irrespective of any such considerations.

9. Far is it from me to blame Mr. Lee for his wishing every obstacle removed which has its origin in caste-distinctions. It is his mission ; it is his aspiration to see all such distinctions nullified. Missionaries, full of zeal in their pursuits, but not bound to take other considerations into their calculations, would naturally enough wish to see such nullification effected at once.

10. The Dewan, however, must obviously take a higher stand. His view must extend over a wider horizon. All interests must, in due proportion, be comprehensively considered by him. It is not that he can aim at doing the greatest good possible, absolutely, to any particular section of

the community, but he should desire to do to each that amount of good which is consistent with the good of each and all of the remaining sections. Manifestly, therefore, it would be impossible for the Dewan to satisfy fully the expectations of any particular section entertained independently of those of other sections.

11. In the letter I have already addressed you, I have chiefly endeavoured to justify the decision given, on judicial grounds. But the question, though brought forward as a purely judicial one, partakes largely of a political character also, just like the question of *dress* which was some years since so much agitated as one of *religion* or *decency*, but which the Resident Mr. Maltby found and reported to be more a *political* question.

12. All who have had experience in India are aware of the very strong hold which religion has over the Hindoo mind. In fact, no religion in the world exercises a more potent influence over its votaries. This influence is undoubtedly stronger in Travancore than in an average district of the British territories, and the reasons of this are connected with the fact of Travancore being a purely Hindoo State preserving independence and isolation for a great length of time. When, therefore, the framers of the Penal Code of British India stated that "there is perhaps no country in which the Government has so much to apprehend from religious excitement among the people" as India, they made a remark which is applicable in a still higher degree to this Hindoo State.

13. Such a state of things cannot, it is evident, be lost sight of in administering the Government here. The Penal Code Compilers have distinctly recognised these circumstances, and they have inculcated the justice and expediency of even Europeans paying as much respect to the religious feelings and opinions of the Hindoos as if they (the Europeans) partook of them. A Hindoo Government is naturally expected to defer still more to the feelings and opinions of its Hindoo subjects; and the disaffection of Hindoo subjects arising from want of such deference on the part of a Hindoo Government is naturally much more intense than it would be where the deference was wanting on the part of a European ruling power, as in British India.

14. Such deference is, I think, not the less due because the religious feelings and opinions in question seem unreasonable to Christian Missionaries. These cannot be good judges in the matter. What Mill says of foreigners in general applies to the Missionaries with double force. "Foreigners do not feel with the people. They cannot judge, by the light in which a thing appears to their own minds, or the manner in which it affects their feelings, how it will affect the feelings, or appear to the minds of the subject population. What a native of the country, of average practical ability, knows as it were by instinct, they have to learn slowly, and after all imperfectly, by study and experience."

15. It is by no means meant that the feelings and opinions adverted to should be fostered and encouraged to the prejudice of progress. All that is meant is that they should not be, without strong reasons, disregarded, much less offended.

16. For instance, let us suppose that a number of very devout Brahmins of the Mahadanapurum class conscientiously feel that their religion requires of them rigorous seclusion from those whom they regard as an entirely different caste. Suppose that, in view to satisfy their religion, they apply for and obtain the grant of a piece of land apart from houses or roads. Suppose that in such a grant of private property, they build houses, wells, and pagodas, and wish to be let alone. In such a case should they not be let alone within the limits of that grant in deference to their feelings and opinions? If a right of way to all castes indiscriminately through such a cluster of houses in a grant obtained as stated above be enforced, would it be true toleration? I hold not, because, then, such Brahmins cannot possibly have the means, under any circumstances, of practising their religion according to their own notions. *If* Mahadanapooram be such a case, true toleration would, I think, require that the Brahmins be left to themselves. As private proprietors of the land on which they have clustered together, they must be allowed to prevent what they consider intrusion. The law and policy of the case would thus appear to be clear enough. The *facts* have to be ascertained, and how can they be better ascertained than in the manner referred to in the decision, namely, by the institution of a civil suit?

17. I have adverted to the probability of much disaffection arising from a disregard of the religious feelings and opinions of the Hindoos. Even in the usually tranquil province of Tinnevelly, you are aware, a serious riot occurred to oppose the right of way, and the Military had to be called in, in support of the Civil power, and melancholy loss of men, women, and children occurred. But supposing such a necessity could be averted in Travancore, still, we must not ignore the possibility of the recurrence of those secret crimes, most difficult of detection, which occurred in South Travancore during the Shannar disturbances in 1859. I should rather speak of a *complication* of serious crimes, which I have already specified to you privately, and which I should not like to specify here.

18. Even supposing that such things would not occur, still a chronic state of discontent in a large proportion of the subject population is what a native Government would particularly wish to avoid. If prevailing feelings and opinions are wrong, it would be far better for the Sircar to rely upon the progress of education for their correction, than upon legislative action or administrative coercion. As bearing upon this subject, I am reminded of the following passage in Buckle's history of civilization. Speaking of certain Ministers of the Spanish Government he says :—

"We must not, however, conceal from ourselves that, in this, as in all similar cases, they, by attacking evils which the people were resolved to love, increased the affection which the evils inspired. To seek to change opinions by laws is worse than futile. It not only fails, but it causes a reaction which leaves the opinions stronger than ever. First alter the opinion, and then you may alter the law. As soon as you have convinced men that superstition is mischievous, you may with advantage take active steps against those classes who promote superstition and live by it. But, however pernicious any interest or any great body may be, beware of using force against it, unless the progress of knowledge has previously sapped it at its base, and loosened its hold on the national mind. This has always been the error of the most ardent reformers, who, in their eagerness to effect their purpose, let the political movement outstrip the intellectual one." Now, the intellectual movement here referred to is going on in Travancore ; its effects are fast spreading, and may we not rely upon that, instead of forcing strong existing feelings to yield to liberal ideas, which the people are not yet prepared to appreciate ?

19. It must be in reference to these fundamental political principles laid down by eminent writers that Section 295 of the British Indian Penal Code was constructed : a section which contemplates of course due regard and protection to the religious feelings of the Hindoos, as well as of other religious sects, notwithstanding that such feelings may not be fully realized by others. Had Mr. Lee sufficient consideration for the feelings so wisely respected by law—feelings, which, in the case under reference, were unmistakably signified to him in the opposition of the defendants, he would have paused in his attempt to force his way through the Agraharam ; he would have avoided risking a breach of the public peace ; and he would have appealed to constituted authority for the solution of a dispute which had no other than a religious origin.

20. It may be much doubted if the British Government would approve of Mr. Lee's having taken upon himself the enforcement of what he considered his right of way instead of having recourse to law. The Honourable the late Court of Directors expressed themselves as follows not long ago in a similar case in Travancore.*

* Vide Proceedings forwarded to the Dewan by General Cullen with his letter, No. 2306, dated 7th December 1855.

"To the Missionaries also it should be pointed out that a little discretion on their part might have obviated the measure of which they complain, and that no advantage is ever gained to the cause of Christianity by a violation of the opinions and prejudices of the Government under whose protection they reside. Successive Rajahs of Travancore have shown towards Missionaries a spirit of toleration which cannot be too highly appreciated, and the recent declaration of the Dewan to General Cullen with which we conclude this paragraph, so completely in accordance as it is with the practice of the Sircar, satisfactorily evinces that this liberality has

in no manner been checked by the indiscretions of some of the Missionaries, of which he had reason to complain.

"So long as the Missionaries and their converts do not bring themselves into collision with the Hindoos of high caste, and do conduct themselves peaceably and prudently, there is not the slightest objection on the part of the Sircar to the dissemination of Christianity in this country to the widest possible extent, and it ever has been, and ever shall be the care of the Sircar, that it shall suffer neither itself nor its Hindoo subjects to be the first to offend in their dealings with the Missionaries or their people."

21. In reference to these excellent remarks, it has only to be observed that the Sircar, while it is prepared, at all times, to act with a true spirit of toleration towards all classes of its subjects, is anxious, out of that spirit, to duly respect the prejudices which do exist in them.

22. In conclusion, I may state that, on that occasion, the Honourable Court declined to interfere with the decision of the then Dewan in a very analogous case. Indeed that decision of my predecessor went further than the one under discussion; for *that* absolutely prohibited certain Christians passing through a certain road, while *this* decrees only a *temporary* prohibition in view to rights being finally determined by the Civil tribunals of the country. I may add that I can quote additional precedents to show that, in deference to strong religious feelings, this Government has allowed certain streets to be private when there is another path close by, and not less convenient, and open to all the public.

23. In the present case, there is now an improved path open to all castes and very slightly longer than the one through the Agraharam. Till the Civil Court decides upon the question of the right of Mr. Lee to pass through the Agraharam, he and his people might, without any inconvenience, use this improved path.

24. Thus, a fair opportunity has been given to Mr. Lee to establish his claim judicially, and meanwhile all inconvenience has been obviated. In these circumstances, it is difficult to see why he should not avail himself of this opportunity, if his case is really as strong as he contends it is.

No. 19. No. 16.

MEMORANDUM.

The Resident in Travancore and Cochin has the honour to forward, with reference to paragraph 12 of his letter, No. 80, of the 22nd December 1868, copy of the accompanying communication from the Devan of Travancore, No. 460, dated 4th instant, for the information of Government.

TREVANDRUM, (Signed) H. NEWILL,
18*th February* 1869. *Resident.*
To the Chief Secretary to Government, Fort Saint George.

From Sir T. MADAVA ROW, K. C. S. I., Dewan of Travancore, to the Resident in Travancore and Cochin; dated Trevandrum, 4th February 1869, No. 460-M126.

In continuation of my letter, No. 5213-M1480, dated the 9th December last, I have the honour to inform you that, from a report received from the Dewan Peishcar, Southern Division, I understand that the chief promoter of the annoyance to which some of the Mission girls were subjected to at Varioor has been fined twenty-five rupees, and also bound to keep the peace for six months in a sum of one hundred rupees.

No. 20. MINUTE by His Excellency the PRESIDENT, dated 30th May 1869.

The accompanying papers have reference to an affray which happened in the month of August last, in the Travancore territory, on an occasion when the Reverend Mr. Lee, of the London Mission Society, endeavoured to force his way through the Brahmin street of the village of Punja-Engapuram.

2. The incident, as stated and commented upon in the correspondence submitted, offers several topics for our consideration:—

(1). The penalty inflicted by the Dewan Sir Madava Row on the parties convicted of assault on Mr. Lee.

(2). The decision of the Dewan prohibiting the right of public or general passage through the Brahmin street until that right shall have been affirmed by the sentence of a Court of Law.

(3). The tone adopted with reference to Mr. Lee and the class to which he belongs by the Dewan in his judgment and in his letters to the Resident.

(4). The position of Christian converts in the State of Travancore.

(5). The system of Magisterial authority exercised by the Dewan in cases involving pecuniary sentences of very trifling amount, and with reference to the committal of cases to the Courts.

3. The sufficiency or insufficiency of the penalty, awarded by the Dewan in the case referred to, depends mainly on the nature and degree of provocation which was offered to the aggressors by Mr. Lee.

Here I remark that there was, in the initiatory stage of the transaction, really no provocation on the part of Mr. Lee, while there was certainly premeditation on the part of his assailants. Mr. Lee, in the ordinary exercise of his pastoral duty, approached the village by its only direct and convenient access—an access which he and other Europeans, and natives of respectable and even of inferior castes, though not perhaps the very lowest—had been in the habit of using. He found a Brahmin posted at the entrance of the street with confederates at hand to assist him. With the light of subsequent occurrences, we cannot doubt that there was a conspiracy to prevent the passage of Mr. Lee, and a preconceived resolution to employ violence to effect that object. Mr. Lee being anxious to meet the wishes of the Brahmin inhabitants, if he could do so without inconvenience and without a sacrifice of the respect due to his position, desisted conditionally from what he believed to be his right of passage, and consented to avail himself of another road which was indicated to him. He tried the road. He found it inconvenient for riders and impassable for carriages. He felt, no doubt, that to be thrust off the natural and usual road into an obscure byeway reserved for the meanest sort of people was degrading to his nationality and social position. For my part I cannot blame him for returning by the public street. If he had claimed the protection of the village police he would probably have obtained no protection in the exercise of his right. The low-caste local officer would probably have done, timidly and instinctively, what the Brahmin Dewan has done deliberately. He would have left the Christian Missionary to prove his right, and turned him meanwhile into the lane and the mire. Mr. Lee offered no provocation that can be justly pleaded by returning by the direct way. He did what he had done before without provoking remonstrance or violence. For remonstrance he was prepared by what occurred in the morning, but up to that moment he had no convincing reason to expect violence. Had Mr. Lee merely made his way once through the street I could not regard him as culpable, I could not consider his action as detracting from the guilt of his assailants. In the first assault I am constrained to hold the Brahmins of the place solely and exclusively responsible.

4. It is not so easy to vindicate the conduct of Mr. Lee in returning to the street after he had passed through it in quest of the bag which had been wrested from his horsekeeper in the scuffle. The recovery of the bag was not pressing, and it might have been left to the police. To return to the scene of the recent outrage, while the Brahmins were still heated with the altercation and the scuffle, was a superfluous act of provocation on the part of Mr. Lee. It tended to produce a breach of the peace, the probability of which had already been practically proved. Mr. Lee was probably himself by that time irritated by a sense of indignity and injustice. His conduct may be extenuated but not defended. For the second assault there may be some excuse on the ground of provocation for the conduct of the Brahmins.

5. It is alleged that the guilt of the assailants is mitigated by the circumstance that Mr. Lee was followed by a Pariah horsekeeper, a Christian convert, whose presence in the street

could not be tolerated. I do not think so in any material degree. It is not asserted that the opposition to the passage of Mr. Lee was caused by the presence of the horsekeeper. No proposal was made to Mr. Lee to dismiss the horsekeeper and pass alone. We cannot doubt that if Mr. Lee had attempted the passage alone he would have met with the same opposition and the same violence.

6. As for the allegation that the "homes and wells and shrines" of the Brahmins would have been polluted by the passage of Mr. Lee, as stated by the Dewan, I am bound to submit my conviction that assertions of this nature are the specious but unsubstantial pretexts of an intolerant spirit. Men of all castes and nationalities pass every day in this Presidency through streets exclusively inhabited by Brahmins, and approach their wells and pagodas without any pretence that those places are desecrated. In other parts of Travancore, European travellers and residents use the same freedom. In the very street alluded to Mr. Lee and other Englishmen had repeatedly passed without any imputation of polluting it. It is quite incredible that their passage was unobserved by the inhabitants. The mischief suggested by the Dewan is really visionary. The truth is that there is no height to which Brahmin pretensions will not swell if the Government is weak or cunning, while those pretensions will readily descend to a reasonable level if the Government is firm and impartial. It is also worthy of note that the Brahmins here concerned were the ordinary Brahmins of the South, such as we are familiar with in Tinnevelly, not the Namburi Brahmins of the Western Coast, who are more ignorant and susceptible, and that the temple was not a private temple, but a Sircar temple, one belonging to Government. From all that I have seen in Travancore, and heard of Travancore, I am satisfied that the picture of suffering indignation and danger, which the Dewan has ingeniously presented as the result of a Missionary passing through an open Agraharam, is altogether illusory, but it is not for that reason innocent. Such sentiments, held and professed by the Minister of Travancore, would, if generally known, give a formidable impulse to fanaticism.

7. If we regard the position of Mr. Lee on one side as an Englishman, a gentleman, and a clergyman, and if we regard the position of his assailants on the other, not low ignorant persons according to the standard of the country, but persons of comparative opulence and culture, I cannot but consider that the penalty inflicted on the guilty parties was insufficient. The Minister would have done well if he had pronounced a sentence of considerable severity such as would have checked the presumption of a domineering caste, and have afforded security to a class of foreigners whose solitary and wandering labours render them peculiarly defenceless. The Dewan merely awarded a trifling fine. I think he erred, but he acted in the limits of his powers. We cannot properly demand a revision of the sentence. We should confine ourselves to an expression of regret that the punishment awarded was not more proportioned to the gravity of the offence, and more fitted to operate as a warning to others.

8. If the Dewan was in error with reference to the penalty inflicted on the offenders, the course he took in regard to the question of right at issue was, in my humble judgment, still more unfortunate. The alternative before him was to open the road until the Brahmins should prove their right to close it, or to close the road until the public should prove their right to use it. The Dewan closed the road. Nothing could more effectually flatter and inflame the caste-prejudices and passions which the Dewan affirms it is his wish and his policy gradually to abate. The case appears to be one in which a liberal resolution might most properly and safely have been taken, which might have been made a starting point for similar decisions in other places. Whatever degree of caste or corporate property there may have been originally in the ground on which the Brahmin street is built, it seems undoubted that a public way had been carried through it, and that a prescriptive right of passage had been practically established in favour of all persons of respectable station including Englishmen. The Brahmin street was the only practicable road through the village, and the village lay across a high road uniting other villages and roads. It had been used for wheel-carriages, for palankeens, by horsemen, by foot-passengers, by natives, and by Europeans for a length of time. There was at least a strong presumption that a right of way existed, and public policy powerfully supported what a just respect for the rights of property did not prohibit.

I do not entertain the slightest doubt that a decision on the part of the Dewan to keep the road open would have been instantly and peacefully complied with. Such a decision would have inflicted no loss or inconvenience on any human creature, and it would have had a salutary effect on public feeling throughout the country. But, instead of taking this prudent and politic course, the Dewan closed the road and made a new road open to all passengers, affording thereby, in all probability, a permanent triumph to the Brahmins, confirming the obnoxious principle of the use of separate roads by different classes of the community, and removing the motive which would otherwise have existed for bringing the question of right in the disputed street to the test of a judicial decision. In short the Dewan has done everything he possibly could to give a victory to the sentiments and customs which it is the policy of Her Majesty's Government and, by his account, that of the Government of Travancore to weaken and repress.

9. We should, I think, convey to the Dewan a decided expression of the regret and disapproval entertained by this Government in respect to the decision which he has taken in closing the disputed road; but in this matter again I would hesitate to impose a reversal of the decision. I presume that the decision, however erroneous, was within the competency of the Dewan as the Chief Magistrate and Police Authority of the State, and it may have been conscientiously adopted by him. It would be impolitic to disturb a sentence pronounced by competent authority in a country where legality and the forms of civilized Government are on the whole being happily consolidated, unless in cases where the sentence implies conscious injustice, or a greater measure of manifest public wrong than appears in the present instance.

10. The Missionaries in Travancore feel aggrieved by certain expressions which have been employed by the Dewan in the letter addressed by him to the Dewan Peishcar embodying his judgment in the case, and the Resident shares the impressions conceived by the Missionaries.

11. The terms complained of are as follow :—

In enumerating the considerations which appear to extenuate the guilt of the defendants charged with the assault on Mr. Lee, the Dewan states " that the defendants considered it objec-" tionable that those whom they hold to be *of the low caste* should pass through their Agraharam " appears to be a matter of fact."

And, again, near the end of the document the Dewan says, " that it being necessary to secure " against breaches of the peace until the adjudication of the question by a Civil Court, Mr. Lee " and *such like persons* should be informed that they should not proceed through the Agra-" haram."

The expressions deemed to be insulting or depreciatory are in the first quotation " of the low caste ;" in the second " such like persons."

12. The vernacular expression translated by the words " of the low caste" is " nicha jathi," and it is contended that the term " nicha" would be more properly rendered by the word " vile." In the opinion of Dr. Caldwell, whom I have consulted, the word " nicha" stands between low and vile ; it implies more than low and somewhat less than vile. According to the opinion of Dr. Caldwell, a most competent judge, " nicha" is not a term that Brahmins or other respectable natives would naturally use in qualifying Europeans ; he thinks that the Dewan might, in defining the sentiments of others, (for he does not here state his own,) have easily found terms less harsh ; and he might have employed some less offensive word or a courteous periphrasis. I cannot doubt that this view of the subject is correct.

13. The term translated by the English words " such like persons" is " ottavargal," which literally rendered is simply " similes," " the like." It is not necessarily offensive, but it is certainly not deferential, and, taken in connexion with the previous passage, it betrays no inclination to qualify the class of persons referred to in a respectful manner.

14. The feeling on the part of the Dewan, which these expressions appear to me to reveal, is reproduced in a passage of his letter under date of November 5th to the Resident, paragraphs 15 and 16 :—

" While on this point, I think it very desirable to be explicit, especially as some of the " Missionary gentlemen would, unless I am greatly mistaken, seem to be under the impression

"that it would be quite lawful for them to take upon themselves the enforcement of rights like "that in question even to the extent of shooting down those that would resist such action. In "such serious matters the action of authority ought to be clear and unmistakable, and hence it "is my duty to state my belief that the law would not at all tolerate such proceedings on the "part of any person, and the European Missionaries ought to be the last persons to drive matters "to such extremity, though of course it is certain that the Sircar would always use its very best "exertions to afford them all due protection.

"It is, therefore, my duty to state that if any Missionary gentleman thinks it not only lawful, "but even laudable, to take upon himself the enforcement of such rights to the extent of "inflicting death he is wrong in his view, and must not be encouraged. On the contrary it would "be well if he be undeceived in the matter."

15. These passages in the official letter of the Dewan discover, I venture to affirm, a very strange illusion with reference to the views which could be held by any Missionary. It is really impossible to conceive a Missionary in these times, and in that country, carrying firearms at all, much less using them to enforce his right of passage in a native street. The Dewan appears to me to have written under the instigations of some excited or designing informer. But the credulity with which the impressions were received mark, I think, a previous inclination to regard the Missionary body with some degree of prejudice and distrust. Nor will it escape the Government that, neither in the letters from the Dewan to the Resident, nor in any other part of the correspondence, has the Dewan thought fit to express the least regret that an English subject, and a gentleman of the most respectable character and position, has been made the victim of indignity and outrage in the territory of Travancore.

16. On the whole I think that, on this point, the Government ought to state that they have remarked with concern that the Dewan in his letter to the Dewan Peishcar has not used, in referring to Mr. Lee and the class to which he belongs, those terms of respect and courtesy to which they are entitled, and which this Government had a right to expect on the part of a Minister who possesses so much intelligence, and who is animated by such friendly sentiments towards Englishmen, and moreover that this Government have learned, with surprise, from his letter of November 5th, that the Dewan has been led to entertain impressions respecting the sentiments of some members of the Missionary body which the Government must regard as unfounded and derogatory to the reputation of a most estimable class of Her Majesty's subjects.

17. The number of Christians in Travancore is great, and it is rapidly increasing by numerous conversions both to the Protestant and Roman-Catholic persuasions. The conversions by the London Mission alone were not less than 2500 the year before last. The proselytes are found in the lowest, most indigent, most miserable part of the population, and it would be difficult to exaggerate the benefits which will eventually flow to those who embrace a purer faith in connexion with the education and moral discipline which all the missions afford in a greater or less degree. The Missionaries in Travancore complain that their efforts to raise the converts in the social scale are counteracted by the native Government, which continues to treat them as belonging to the low castes in which they were born, though converts to the Mahommedan religion are permitted to enjoy all the social privileges of Mussulmans, while the Syrian Christians and their native converts were, in ancient times, recognised as an honourable caste. The Missionaries claim that Christianity should be regarded as a caste, and that it should be ranked with the more respectable of the numerous classes into which the population is divided. The question is one which is involved in considerable difficulty. In British territory the converts to Christianity usually retain something of their former caste-distinctions; at any rate they do not form a separate or new caste, but then in British territory the law does not recognise caste, and the Government discourage all humiliating distinctions as much as possible. In Travancore we shall be told that the laws also recognise a general equality, and that the invidious usages of the country will gradually disappear; that the courts and schools and highways are open to all on equal terms in the eyes of Government; and that public custom will soon ratify

what Government has prescribed. The fact is that Travancore is a country in which caste is all-powerful notwithstanding the enunciation of liberal principles. The Brahmin is predominant; the Sovereign, though excellent by intelligence and benevolence, is timid; and the Minister trims between modern ideas and natural sympathies and local influences. All are rather alarmed by the progress of Christianity and the growing demands of the lower castes. Liberal innovation has come to a standstill. It is certainly not desirable, in my opinion, that converts to Christianity—the religion of the paramount Sovereign and of Englishmen—should be treated as Pariahs are probably often treated still in Travancore; but it is difficult to change the action of a Government, and still more difficult to change the customs of a people. This Government could not, I think, interfere in the matter without further information from a dispassionate source. I would advise that Mr. Ballard should be instructed to report what are the disabilities and oppressions to which the lowest castes are still practically subjected in Travancore; in what degree those evils continue to affect the converts to Christianity; and whether they would be lightened by the recognition of Christianity as a caste. The Acting Resident should also be invited to describe the advantages to which converts to the Mussulman faith are admitted by joining that religion, and the position, in reference to caste, enjoyed by the ancient Syrian Christians in the country.

18. Mr. Newill, in his letter to Government of the 22nd of December, has commented on the evils which are attached to the Magisterial rights exercised by the Dewan even in trifling cases, and the regulations under which reference is made to the Dewan respecting cases which it is proposed to commit to the Courts. It does indeed appear preposterous that all suits involving penalties exceeding Rupees 25 should be brought under the notice of the first Minister of the country, and the intervention of the Dewan in controlling the committal of cases by the Subordinate Magistracy to the Courts may open a door to corrupt influences and unnecessary delays. I think that this question should be recommended to the particular consideration of the Acting Resident, who should submit his opinion to Government respecting the degree in which the jurisdiction of the Dewan might be limited, and the authority of the Dewan Peishcars might be developed with advantage to the administration of justice.

19. Lest I should be deemed, in the preceding remarks, to have animadverted in an unfriendly spirit on the government or the character of Sir Madava Row, I think it right to state that I fully recognise the talents, virtues, and services of that eminent person whose only defect as Dewan of Travancore is that he is a Brahmin. He has been the author of many intelligent and useful measures; but after some personal intercourse with him, and much conversation with others respecting him, I retain the opinion that he is deeply, perhaps in part unconsciously, imbued with the feelings of his race. He is a Brahmin of the Brahmins. The Government of Travancore is at this moment, in my mind, under reactionary tendencies. I think, therefore, that this Government should lose no opportunity of replacing the Minister under the control of European ideas, and of impelling him anew upon the path of progress.

20. It only remains for me to explain the delay which has occurred in the circulation of these papers. When they first reached me Mr. Newill was still at Trevandrum in such a state of health, and on such unhappy terms with the Dewan, that it appeared unadvisable to charge him with the communications and inquiries which the Government might think it right to institute in connexion with the matters under consideration. We have now an Officiating Resident whose capacity and impartiality are beyond question. I confess, however, to have experienced much reluctance to take up the subject. An indignity has been perpetrated on one of Her Majesty's subjects on native territory; the respect which ought to surround our countrymen may not improbably have been considerably impaired; and a victory has been secured for Brahminical intolerance. Yet the affair has been so managed that I do not see how any appropriate atonement can be obtained.

(Signed) NAPIER.

No. 21. MINUTE by the Honourable H. D. PHILLIPS, dated 24th June 1869.

In disposing of this matter, and so far only as the merits of the sentence passed by the Dewan are concerned, I see no reason for treating it as other than an ordinary case of simple assault by natives on an Englishman, and I do not think we should go into the question whether the person assaulted be a layman or a Christian Missionary.

2. In that view, I consider that the Government should not comment on the leniency or severity of the fines awarded by the Dewan as punishment for the assault.

3. As regards the order of the Dewan tacked on to the record of the trial, that a civil action must be brought, if it be desired to secure a right of passing through the Agraharam, it seems to me to be quite obvious, under the circumstances shown, that the Dewan has wholly missed the point, and that he should have notified to the Agraharamdars that it was for them to move in the Courts, in regard to closing the road through Punjalingapuram, if they chose now to deny the use of it to Mr. Lee, or any one else.

4. Still, as the Dewan's undoubted error was an error committed by him whilst exercising the judicial powers he seems to have assumed, I doubt whether it is the business of the Government to impugn it further than by instructing the Resident to endeavour to find an opportunity for drawing the Dewan's attention to the dictum, and in a friendly way suggesting that it might with propriety be recalled.

5. As respects the depreciatory term of which Mr. Lee has complained, I am not sure that the Government have a right to call it in question. It occurs in a *quasi*-judicial proceeding with which, unless some glaring or gross injustice has been shown to have been done, this Government ought to avoid interference. Referring, as we know that it does, to a Missionary is an additional reason, in my opinion, why the Government should be careful in noticing it.

6. The offensive bearing of the term might, however, reasonably be pointed out by the present Resident, whose influence over the Dewan will, it is to be hoped, exceed that exercised by the gentleman who was lately Resident, and who might perhaps induce the Dewan to modify or cancel it.

7. Believing as I do that the fact of a clerical gentleman being concerned in the case under notice should be ignored, I do not think that orders by Government are necessary on any other points than those which I have briefly noticed.

(Signed) H. D. PHILLIPS.

No. 22. MINUTE by the Honourable A. J. ARBUTHNOT, dated 28th August 1869.

I concur with His Excellency the Governor in considering that the remarks made by Sir Madava Row, in the decision passed by him in this case, and in the letter addressed by him to the late Resident under date the 5th November last, manifest a reactionary spirit and an ill-concealed hostility to the Christian Missionaries residing in Travancore, of whom the Reverend Mr. Lee is one. I also think that, in referring Mr. Lee to the Civil Courts to establish his right to make use of the public road which passes through the Agraharam in question, the Dewan committed a grave error of judgment, and that the order made by him on this point is entirely opposed to the evidence before him.

2. I would instruct the present Resident to intimate to Sir Madava Row that the Government have perused the remarks to which I refer with regret and dissatisfaction, and to suggest to him the expediency of recalling that part of his order which enables the Brahmins of Punjalingapur to prevent the public from making use of the road through their village. The attention of the Dewan and also of His Highness the Maharajah should be drawn to the principle laid down for observance in the districts subject to the British Government, that "the public high streets of all towns are the property, not of any particular caste, but of the whole community, and every man, be his caste or religion what it may, has a right to the full use of them, provided that he does not obstruct or molest others in the use of them, and must be supported in the exercise of that right," and it should be urged upon them that to act on any other principle in this matter is unworthy of an enlightened Government.

3. The punishment inflicted on the persons concerned in the assault of the Reverend Mr. Lee was, I consider, a lenient punishment, but I hardly think that this point ought to be noticed by the Government; for the sufficiency or insufficiency of the fines imposed is after all a mere matter of opinion, and we do not know enough of the circumstances of the parties to justify us in asserting that the sentences were unduly lenient. On the other hand I cannot but regard Mr. Lee's conduct in forcing his way along the road as having been, to say the least, injudicious.

4. In regard to the suggestions made by Lord Napier in the 17th paragraph of his Minute, I think it would be well that the Resident should use his influence with the Government of the Maharajah to procure the removal of any substantial disabilities and grievances under which the lowest castes may at present labour, and should report to us the result; but I question the expediency of offering any suggestion as to the recognition of Christianity as a caste, or of attempting to procure for the converts to Christianity any special privileges.

5. The question of extending the powers of the Dewan Peishcars may, in my opinion, be more fitly entertained on some future occasion in connexion with the general subject of the judicial administration in Travancore.

(Signed) A. J. ARBUTHNOT.

No. 23. ORDER THEREON, 11th September 1869, No. 284.

From the papers above recorded it appears that, on the morning of Sunday the 16th of August 1868, the Reverend W. Lee, a Missionary of the London Society, employed in the Travancore Territory, proceeded on horseback from the village of Augusteeswarum to the village of Seepuram for the purpose of performing divine service. The Agraharam or Brahmin village of Punjalingapuram, it appears, lies between these two villages, and Mr. Lee entered it with a view of passing through it, as, he alleges, he had previously been in the habit of doing, without encountering opposition. On this occasion, however, his passage was opposed. "Just by the side of "the temple at the entrance of the Brahmin street," he states, "a Brahmin said to me there is "no way here, to which I replied I have been in the habit of going; why should I not go now? "Several Brahmins then came up. One man came apparently from the side of the tank and "began to speak in a rough and angry voice. A respectable Brahmin who was standing by the "temple asked me to be kind enough to go by another way which he would show me. I said if "there really is a good road I don't wish to hurt the feelings of the people and shall go by that way: "show it to me. The man then led me through some back street of the village and led me again "to the road. I said that way is very rough and troublesome. On returning this evening I shall "as usual come through the street." Mr. Lee did accordingly "come through the street" on his return in the evening, when both he and his horsekeeper, a pariah, who accompanied him, were assaulted.

2. It appears from his deposition that he was met at the entrance of the village by a man who told him to "go round by the other way," which he declined to do, and that the Brahmin who in the morning had addressed him "in a loud and angry tone" shouted to certain others to "stop his pony," threw "a copper-vessel" at him, and beat his horsekeeper with a rope. The bystanders took part in the assault by throwing stones which struck Mr. Lee, his horsekeeper, and his pony, but in spite of this, they passed through the street and rejoined, at the other side of the village, certain Catechists and others who had gone round by the way Mr. Lee had declined to take. Mr. Lee returned on foot to the village, however, in search of a small leather bag which his horsekeeper was carrying and had dropped in the mêlee, and while he was "parleying with the people" regarding his missing property a Brahmin struck him "with his hand over the left cheek-bone" and "several others also struck" him "over the head with sticks." After this Mr. Lee "remounted" his "horse and road off to Augusteeswarum as fast as possible."

3. These transactions came before the Southern Division Cutcherry of the Travancore Territory both upon the complaint of Mr. Lee and upon that of the defendants to his charge, who preferred a counter-charge of assault against him. The cases were gone into at great length by the Dewan Peishcar, and the result of the evidence is to establish clearly the correctness of the account given

above which is compressed from Mr. Lee's deposition. The Peishcar found a verdict of guilty against the persons charged by Mr. Lee, and according to the procedure which obtains in Travancore in criminal cases, where the Judge considers an offence proved, which demands a higher punishment than a fine of Rupees 25, referred his proceedings to the Dewan Sir T. Madava Row, who, after an elaborate review of all the circumstances, sentenced the persons accused by Mr. Lee to be fined "each in the sum of Rupees 30, and in default to be imprisoned as usual," and directed that "until the adjudication of the question of the right of way through the village," by a Civil Court, "*Mr. Lee and such like persons* should be informed that they should not proceed through the Agraharam."

4. Mr. Newill, who was then Resident, placed before the Government an account of the affair in his letter of the 22nd December, with which he has transmitted a translation of the record of the trial held before the Southern Division Cutcherry, and two explanatory letters addressed to him by Sir T. Madava Row. In the former of these letters, which is dated the 5th of November, the Dewan reviews the case at great length, points out that inhabitants of the Agraharam believed that the presence of Mr. Lee and his horsekeeper would "desecrate their homes, their wells, and their shrines," and that the excitement consequent on this belief, as well as their conviction that they had a right to exclude the Missionary and his servant from passing through their village, constituted extenuating circumstances which induced him to pass a light sentence. He remarks that Mr. Lee's proper course, when he found himself opposed by the villagers, would have been to have given way under protest and appealed to the authorities. He eulogizes "the body of European Missionaries in the country," but complains of a few of them who, he remarks, "unless I am greatly mistaken, seem to be under the impression that it would be quite "lawful for them to take upon themselves the enforcement of rights like that in question, even to "the extent of shooting down those that would resist such action," and after giving it as his opinion that "*prima facie* the Brahmins of the Agraharam which purports to be private property "from its very name, being styled Mahadavepuram, had right on their side," he expresses his conviction that he had no alternative but to refer Mr. Lee and his friends to a Civil Court, interdicting them in the meantime from passing and repassing through the village. In his second communication, which is dated the 24th of November, Sir T. Madava Row adduces a few additional arguments in support of the views he had previously enunciated, urges that if the right of way does exist, there can be no hardship in requiring Mr. Lee to establish his claims judicially.

5. Mr. Newill in his letter animadverts on the expression "Mr. Lee and such like persons" used by the Dewan in his decision, and considers that the spectacle of the main street being exclusively reserved for the Brahmins, and another circuitous route opened for the Missionaries and others, will readily pass into a precedent and cannot but be highly prejudicial in retarding progress. Mr. Newill is further of opinion that it would be "inexpedient to disturb "the sentence of the Dewan passed in accordance with what he considered to be the law in the "case, and on the same ground to interfere with the ruling referring Mr. Lee to the Civil Court," and suggests the desirability of extending the powers of the Dewan Peishcars and Tahsildars and of abolishing the reference which is now required to be made to the Dewan in criminal cases where the nature of the offence requires a higher punishment than a fine of Rupees 25.

6. After a careful consideration of the circumstances of the case above described, His Excellency the Governor in Council is of opinion that, while it would have been better if the Reverend Mr. Lee had abstained from forcing his way along the street and confined himself to addressing a remonstrance to the Travancore authorities through the Resident, there was no justification whatever for the assault committed. Mr. Lee was making no innovation, nor was he insisting on any new right in passing through the main street of the Brahmin village of Punjalingapuram. Nor can His Excellency admit that there is any foundation for the allegation that the homes and wells and shrines of the Brahmins would have been polluted by the passage of Mr. Lee through the main street. Men of all castes and nationalities pass every day in this Presidency through streets exclusively inhabited by Brahmins, and approach their wells and pagodas without it being pretended that those places are desecrated. In other parts of

Travancore, European travellers and residents use the same freedom, and it is in evidence that Mr. Lee and other Englishmen had repeatedly passed through the main street of the village of Punjalingapuram without question, and without any allegation that any offence to the religious feelings of the Brahmins had resulted.

7. On the other hand the Government are constrained to observe that Mr. Lee acted imprudently in returning to the street in quest of the bag which had been lost in the scuffle which had taken place between himself and the Brahmins. This return was certain, under the circumstances, to cause the serious breach of the peace which ensued.

8. His Excellency the Governor in Council considers it his duty to instruct the Resident, Mr. Ballard, to convey to His Highness the Maharajah and to the Dewan Sir Madava Row the expression of the regret of the Government that the punishment awarded to the inhabitants of Punjalingapuram, who were convicted of a gross assault on the Reverend Mr. Lee, was not more proportional to the gravity of their offence, and more fitted to act as a warning to others.

9. While regarding the punishment awarded as insufficient, His Excellency in Council is also constrained to observe that the course taken by the Dewan in regard to the question of right at issue, was still more to be regretted. In deciding that the Brahmins of Punjalingapuram were entitled to deny to the public the right of way through the main street of their village, until such right of way was declared by a Court of Law, the Dewan was, in the opinion of His Excellency in Council, fostering a spirit of illiberality and religious intolerance unbecoming the enlightened policy that characterizes the Government of the Travancore State. The attention of His Highness the Maharajah should be drawn to the principle laid down for observance on this question in the districts subject to the British Government, that "the public high streets of all towns are the property, not of any particular caste, but of the whole community, and that every man, be his caste or religion what it may, has a right to the full use of them, provided that he does not obstruct or molest others in the use of them, and must be supported in the exercise of that right." The Resident will strongly urge upon His Highness the adoption for the future of this principle as that which is alone worthy of an enlightened Government.

10. The Resident will inform the Dewan that the Government have remarked with surprise and regret that, in his letter to the Dewan Peishcar, embodying his judgment in Mr. Lee's case, the Dewan has not used, in referring to Mr. Lee and the class to which he belongs, the terms of respect and courtesy to which they are entitled, and which the Government had a right to expect on the part of a Minister who possesses so much intelligence, and has every reason to be animated by friendly sentiments towards Englishmen.

11. His Excellency in Council has also perused with much surprise those passages of the Dewan's letter to the Resident, dated 5th November 1868, in which Sir Madava Row asserts that, in his opinion, some of the Missionaries "are under the impression that it would be quite lawful for them to take upon themselves the enforcement of rights, like that in question, in the case of Mr. Lee, even to the extent of shooting down those that would resist such action." The Government see no ground for supposing that the Missionaries in Travancore entertain any such sentiments, and they regret that the Dewan should have expressed impressions which the Government cannot but regard as unfounded and derogatory to the reputation of a most estimable class of Her Majesty's subjects.

12. With reference to the pretensions advanced by the Brahmins of Punjalingapuram, the Government resolve to call on the Resident to furnish, for their information, a report upon any substantial disabilities or oppressions to which the lowest castes in Travancore are still practically subjected. Mr. Ballard, if any such disabilities or oppressions are found still existing, will lose no time in making such representations to His Highness the Maharajah as will insure their removal.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 24. Read the following letter from the Secretary to the Government of India, Foreign Department, (Judicial,) to the Chief Secretary to Government, Fort Saint George; dated Simla, 21st July 1869, No. 173.

I am directed by His Excellency the Governor General in Council to inform you that the attention of the Government of India has been given to the Minutes of the Members of the Madras Government, which appear in its Proceedings for December 1868, and which relate to the case of an European British subject tried, convicted, and punished under jurisdiction assumed by the State of Travancore.

2. I am to state that nothing which has occurred in this case ought, in the opinion of the Governor General in Council, to be regarded as a precedent furnishing a general or universal rule, or as barring the Government of India, or any other Government standing in the same relation to Native States as the Governor General in Council, from adopting any measures which may seem desirable in the event of another claim to similar jurisdiction being advanced by any Native State.

No. 25. To the Secretary to the Government of India, Foreign Department, dated Fort Saint George, 11th September 1869, No. 285.

I am directed by His Excellency the Governor in Council to acknowledge the receipt of your letter, dated the 21st July last, No. 173, and, with reference to paragraph 2, to solicit some more definite instruction from the Government of India on the important question of jurisdiction, which was raised by the Travancore Government in the case of Liddell, which forms the subject of the Proceedings of this Government of the 14th December 1868, No. 274.

2. It will be observed that this Government, acting on the opinion of their Advocate General, dated 7th December 1868, decided that there was no reason for questioning the legality of the sentence passed on Liddell by the Travancore Court.

3. The Advocate General advised the Government that the Notification of the Governor General in Council of the 10th January 1867 was, in his opinion, intended to re-distribute the existing jurisdiction of the several High Courts, without taking away from the Native States, and without conferring upon the High Courts, any portion of the jurisdiction which the Native States possessed before the issue of the Notification. Mr. Norton was of opinion that the Sovereign of Travancore possessed criminal jurisdiction over Christian European British subjects for offences committed by them within his territories against his laws previous and up to the issue of the Notification. He was also of opinion that the High Court had also, before the Notification, criminal jurisdiction over Christian European British subjects both in respect to offences against the British Municipal laws and in cases falling under Act I. of 1849, whether the offender was voluntarily delivered over by a Native State, or, after flying from the Native State, was apprehended within our territories. As there was thus in Travancore, at the time of the issue of the Notification, a concurrent jurisdiction as to criminal offences committed by Christian European British subjects, such concurrency being exercised partly by the Travancore Law Courts and partly by the British High Court, Mr. Norton considered that it would be doing violence to the spirit of our rule to assume that the Notification intended to do anything more than deal with that jurisdiction which the British Government possessed.

4. Acting upon this opinion this Government accepted the right of the Travancore Government to exercise jurisdiction in the case of Liddell, a Christian European British subject, for an offence committed in the territory of Travancore.

5. Since then, however, Act II. of 1869 (the Justices of the Peace Act) has been passed. Section 6 provides that "all persons being servants of Government appointed by the local "Government to act as Justices of the Peace for the territories subject to such Government, "* * * shall, so far as regards European British and Christian subjects of Her Majesty "within the dominions of Princes and States in India in alliance with Her Majesty, have power "to act as Justices of the Peace, and to commit such subjects for trial according to law;" and I am directed to inquire whether it is intended that the provisions of Act II. of 1869 and of the

Notification of the Governor General in Council of the 10th January 1867, giving the Madras High Court criminal jurisdiction over European British subjects resident in Travancore and Cochin, should for the future be enforced in cases of offences committed by such subjects in those States.

6. From a telegraphic communication which has been received by the Advocate General from the Secretary to the Government of India in the Legislative Department, which is contained in the Proceedings of this Government in that Department, dated 13th April 1869, No. 150, it appears that, in enacting Section 6 of Act II. of 1869, the Supreme legislature intended that the High Courts should exercise criminal jurisdiction in respect both of European British subjects and Christian subjects of Her Majesty not being Europeans resident in foreign States; that, under the Notification of the 10th January 1867, Justices of the Peace do now possess jurisdiction in respect of the former class; and that jurisdiction over the latter class may at any time be given by the issue of a similar Notification under Section 3 of the Statute 28 Victoria, Chapter 15.

7. It is presumed that this Notification will apply only to our Christian Native subjects, and not to the Christian Native subjects of the Native States. But, as this will be an important innovation, it will be necessary to put the Travancore Government in possession of the intentions of the Government of India in respect of these alterations in the jurisdiction which has hitherto existed and has been recently exercised by the Travancore State.

8. For this purpose this Government request information as to whether the term "Christian subjects of Her Majesty," as used in Section 6 of Act II. of 1869, includes East Indians and Native Christians, or whether it is meant only to include Christian subjects of the British Government not being Europeans or Natives of this country.

9. With regard to the general question as it affects the States of Travancore and Cochin, I am respectfully to invite attention to paragraphs 8, 9, and 10 of the Minute of His Excellency the Governor under date the 16th November last, and to paragraphs 8 and 9 of Mr. Mayne's opinion, recorded in the Proceedings of Government, dated 14th December 1868.

(Signed) R. S. ELLIS,
Chief Secretary.

Read thefollowing papers :—

No. 26. From the Quarter-Master General, to the Officiating Secretary to Government, Military Department, Fort Saint George; dated Coonoor, 4th August 1869, No. 649-4995.

In soliciting reference to the Order of Government in the Political Department, No. 168, dated 23rd July 1866,* I have the honour, by order of the Commander-in-Chief, to suggest whether the question of reducing the strength of the Native Infantry Detatchment at Trichoor might not now receive the reconsideration of Government. The Resident in Travancore and Cochin, in his letter, dated 12th July 1866, thought it might be practicable to reduce the Detachment when the efficiency of the Nair Troops of His Highness the Rajah of Cochin should be improved, for which purpose steps had been taken.

* Vide Military Department Order, 30th July 1866, No. 2673.

2. The subject was formerly brought under notice with reference to the annual charge for difference between old and existing rates of boat-hire, which is payable to the troops proceeding from and to Quilon and Trichoor; and it was suggested that the Trichoor Detachment might, perhaps, be reduced to one Company, and that the said expense might thus be lessened.

Referred to the Political Department.

FORT SAINT GEORGE,
10*th August* 1869.

(Signed) A. WILDE, Colonel,
Offg. Secy. to Govt., Mily. Dept.

Referred to the Resident of Travancore and Cochin for early report.

FORT SAINT GEORGE, (Signed) R. S. ELLIS,
22nd August 1869. *Chief Secretary.*

No. 27. From the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Courtallum, 30th August 1869, No. 72.

Adverting to your endorsement of the 22nd instant on letter, No. 649, dated 4th idem, from the Quarter-Master General, to the Officiating Secretary to Government, Military Department, Fort Saint George, inquiring whether the question of reducing the strength of the Native Infantry Detachment at Trichoor might not now receive the reconsideration of Government, I have the honour to state that, from my observation lately at Cochin, I should doubt much improvement having taken place with respect to the efficiency of the troops of His Highness the Rajah of Cochin, that I think the arguments in favour of maintaining an efficient Detachment at Trichoor are quite as strong now as they were when the subject was before discussed; and that the trifling saving in boat-hire that might be effected by the reduction of the Trichoor Detachment from two Companies to one Company, is hardly worthy of consideration, as the maintenance of the Detachment is otherwise desirable.

No. 28. ORDER THEREON, 16th September 1869, No. 286.

With reference to the letter above recorded, the Government are not of opinion that it is desirable, for the present, to make any reduction in the strength of the Detachment at Trichoor.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 29. Read the following letter from the Acting Agent to the Governor of Fort Saint George in Ganjam, to the Chief Secretary to Government, Fort Saint George; dated Chetterpore, 31st August 1869, No. 77.

With reference to the Proceedings of Government under date the 8th July last, No. 225, I have the honour to report that I have communicated to Sri Vurdaraj Bunje, through his agent Nelacanta Misser, the resolution of His Excellency the Governor in Council, recorded on the petition referred to in the Order of the above date. I have also had two interviews with the agent above-named, Sri Vurdaraj Bunje having reported himself too ill to leave his house, on the subject of the Bunje's marriage.

2. It is quite evident that there is no prospect of Sri Vurdaraj Bunje's being able or willing to contract any matrimonial alliance with any of the Zemindars of this or the neighbouring districts except on the terms referred to in his petition, and I caused it to be intimated to Sri Vurdaraj Bunje that, as these terms would not be conceded, the wisest step for him to take would be to return to Madras of his own accord. A letter, copy of which I enclose, clearly shows that he has no intention of taking the initiative thus recommended to him, and I, therefore, am of opinion that, as there is no likelihood of his getting married in this district, it is advisable that I should be authorized to communicate to him the orders of His Excellency the Governor in Council to return to Madras with the least possible delay.

From SRI SRI CHATRIYAVARA DEO SRI VURDARAJ BUNJE, Rajah of Goomsoor, to the Acting Agent to the Governor of Fort Saint George in Ganjam; dated Berhampore, 30th August 1869.

I received your letter of the 13th instant stating, according to the Government Order under date 8th July, that Maudasa Zemindar is not going to give his daughter in marriage to me and I must get my marriage celebrated shortly, getting a bride in this district or other.

2. You know very well that no one in this district or the other equal to this will be pleased to give his daughter in marriage to me unless I get Government sanction to reside at Berhampore, which the Government denied. While so, how is it possible to get my marriage celebrated shortly ?

3. I plainly expressed my opinion about my marriage in the letter presented to you on the 13th instant : if the Government agree to those terms, both my marriage and the pilgrimage to Benares will be performed. In the way to Benares I shall select a bride and get my marriage celebrated. On account of these hindrances the Maharajah of Vizianagram intended to have his son's marriage celebrated in Northern Hindustan.

4. Though my age has advanced to 45 years, owing to the groundless prevention of the Government and my misfortune I have not yet been married. If the Government permit me to have my residence at Berhampore hoping my generation to continue further, according to the religious principles of the Hindoos, I shall get my marriage celebrated, otherwise not.

5. I am ready to do according to the Government Order upon the contents of this letter and the letter presented to you on the 13th instant.

No. 30. ORDER THEREON, 16th September 1869, No. 287.

As it is evident that there is no prospect of Sri Vurdaraj Bunje being able to obtain a bride from among the Zemindary families of Ganjam, the Agent to the Governor will direct him to return at once to Madras.

2. The Agent will advance to Sri Vurdaraj Bunje, from the amount previously sanctioned for the celebration of his marriage, the money necessary for the expenses of his journey to Madras.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 31. Read the following letter from the Officiating First Assistant Resident, Hyderabad, to the Chief Secretary to Government, Fort Saint George ; dated Hyderabad Residency, 7th September 1869, No. 2746.

In reply to your letter of the 14th ultimo, No. 266, with enclosure, I have the honour, under instructions from the Resident, to forward, for the information of His Excellency the Governor in Council, copy of a letter addressed to the Collector of the Godavery district, intimating that His Highness the Nizam's Government have issued orders to depute the third Taluqdar of Cumummett to settle, in conjunction with the Tahsildar of Yernagudem, the boundary disputes existing between the villagers of the Yernagudem taluq and the adjacent villages in the territories of His Highness the Nizam.

No. 2745, dated 7th September 1869.

From the Officiating First Assistant Resident, Hyderabad, to the Collector of the Godavery district, Cocanada ; dated Hyderabad Residency, 7th September 1869, No. 2745.

With reference to the accompanying copy of a letter from the Chief Secretary to the Government of Fort Saint George, No. 266 of the 14th ultimo, I am desired by the Resident to inform you that His Highness the Nizam's Minister has ordered the Taluqdar of Cumummett to depute, without delay, the third Taluqdar of his district to Jilugumilli to meet the Tahsildar of Yernagudem Taluq, and, in conjunction with him, to settle the boundary disputes existing between certain villages in the Yernagudem taluq of the Godavery district, and the adjacent villages in the territories of His Highness the Nizam.

2. A copy of this letter will be handed over to the Nizam's officer deputed for the above duty.

No. 32. ORDER THEREON, 17th September 1869, No. 288.

Communicated to the Revenue Department.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

Read the following papers :—

No. 33. From Shekh Ahmad, one of the servants attached to the Carnatic Property at Hyderabad, now at Madras, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 4th August 1869.

Represents that, after ascertaining the validity of his claim for pension as one of the servants attached to the Nawab of the Carnatic's property at Hyderabad, the Government were pleased to sanction for him a pension of Rupees 2-8-0 on the 24th August 1868, as communicated to him by an endorsement, No. 1627, dated 18th September 1868, and that the arrears of pension due to him for seven years, seven months, and twenty-three days, commencing from 1st January 1861, on which date the property was taken charge by the Receiver of the Carnatic Property, has not been paid to him.

2. Prays that the arrears of pension, amounting to Rupees 229-0-3, may be paid to him.

No. 1909.

Referred to the Government Agent, Chepauk, for report as to the validity of this claim for arrears.

(By Order).

FORT SAINT GEORGE, (Signed) H. E. STOKES,
23rd August 1869. *Actg. Under Secy. to Govt.*

No. 318.

No 33A. Report called for by Government endorsement on Petition, No. 1909, from Shekh Ahmad, dated 23rd August 1869.

Petitioner is the individual referred to in my report, dated 20th February 1868, No. 293, paragraph 5, and pensioned by Proceedings of Government, No. 206, dated 22nd September 1868; but, for want of sufficient evidence as to when his services ceased, this office was unable to calculate what amount of arrears of pension were due to him. Hence his name was excluded in the list of arrears sanctioned by Proceedings of Government, No. 243, dated 10th November 1868. He now produces an Official Memorandum, No. 15, dated 30th June last, from the Receiver of the Carnatic Property, by which it appears that the Hyderabad property was taken charge of on the 1st January 1861. As this individual was a servant attached to those gardens, it is probable that his services ceased on that date ; and, if Government accept of that certificate, I have the honour to request that, agreeably to E. M. C., Nos. 49 and 77, dated 18th and 28th January 1858, his arrears of pension, from 1st January 1861 to 31st August 1868, amounting to Rupees (230) two hundred and thirty, may be sanctioned.

31st August 1869. (Signed) V. E. LAW, Captain,
Actg. Govt. Agent, Chepauk.

To the Chief Secretary to Government, Fort Saint George.

No. 34. ORDER THEREON, 18th September 1869, No. 289.

The Government accept the evidence tendered by the petitioner, Shekh Ahmad, as to the date on which he ceased to serve the Carnatic Sarkar, and sanction the payment to him of Rupees 230, being the arrears of pension accruing from the 1st January 1861, the date of cessation of service, to the 31st August 1868, that from which payment commenced.

(Signed) R. A. DALYELL,
Actg. Secy. to Gvot.

No. 35. Read the following letter from His Excellency the Governor of the French Settlements in India, to His Excellency the Right Honourable the Governor of the Presidency of Fort Saint George, Madras; dated Pondicherry, 7th September 1869, No. 8.

TRANSLATION.

On the subject of a dispute between British and French Mirassidars at Karikal, regarding certain lands.

Your Excellency must have been informed that of an affray, in which arms were used, that occurred on the 13th December last year, between inhabitants of the British village of Panangatancoody in the Tanjore district, and inhabitants of the French village of Maloor, a dependency of Karikal, in connexion with a dispute about land.

2. I conclude that it will be needless to go over the circumstances of that affair, as they were inquired into at the time by the British authorities. They have no doubt done full justice to the fomenters of the disturbance.

3. The land in dispute is at present in the possession of one named Samaiayar, a British Mirassidar, but it belongs to the Periapully Pagoda, the Managers of which, having been absent from the country of late, have not been able to resist this usurpation of their property. It is in fact a part of French territory, as fully proved by our official extract from the Pymaish or Survey Register, prepared in 1824, and which has not been since modified, by the different plans drawn by our Engineers, and by the other title-deeds and documents severally produced before the Collector of Tanjore.

4. It is grievous that this question of limits of territory, pending for many years, has not still been decided, despite the pressing and reiterated applications of the French Government. With the view of preventing a recurrence of the lamentable scenes which took place in the month of December, the Chief of the Service at Karikal asked the Collector of Tanjore to consider the disputed land as neutral, and to leave it this year uncultivated.

5. There was, in fact, good ground for fearing fresh collisions between the British and French Mirassidars at the sowing season, the latter being still under the impression that a gross aggression had been perpetrated against them.

6. The Collector has set himself against this. Moreover, in disregard of a formal agreement, the produce of the crop of 1868, which had been put in deposit and reserved till the settlement of the question of proprietorship, has all been given up to the British Mirassidars.

7. In this state of things, I have the honour to address myself to your Excellency, and to request, in the interest of both our nations and of the public peace, that you will be so good as to direct the maintenance of things *in statu quo,* and the immediate formation of a Commission of Survey, the members of which may be nominated by the Collector of Tanjore and the Chief of the Service of Karikal, for the purpose of determining the question of the ownership of this land.

8. I do not perceive that these two functionaries have been able to come to any arrangement of a question so simple, an affair which has no intrinsic importance. But what gives it importance, and makes it a veritable danger to the public peace, is the circumstance that the petty local feelings among the border cultivators are at this moment in a state of the very highest excitement. I am apprehensive of new collisions, which may lead to lamentable consequences, and which perhaps, terminating in violations of territory, may raise grave questions.

9. I am certain that your Excellency will be prompt in complying with my application in order to give this affair an early settlement.

(True translation.)

(Signed) J. W. LYONS,
French Translator.

18th September 1869.

No. 36. ORDER THEREON, 22nd September 1869, No. 290.

The foregoing communication from His Excellency the Governor of the French Settlements in India will be communicated to the Collector of Tanjore, in view to his submitting to Government a complete report on the whole subject under reference.

2. Mr. Morris will at the same time state whether he has any, and what, objections to the arbitration proposed.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 37. To His Excellency M. BONTEMPS, Governor of the French Settlements in India, dated Fort Saint George, 22nd September 1869, No. 291.

In the absence of Lord Napier from Madras, I have the honour to acknowledge the receipt of your letter, dated the 7th instant, No. 8, and to acquaint you that Mr. Morris, the Collector of Tanjore, has been called upon for a report on the subject referred to therein.

Accept Sir, &c.,
(Signed) H. D. PHILLIPS.

No. 38. Read the following Proceedings of the Board of Revenue, dated 13th September 1869.

From the Collector of North Arcot, to the Acting Secretary to the Board of Revenue, Madras; dated Chittoor, 17th August 1869, No. 230.

Shazadee Shah Rukh Begum, a Political Pensioner, has been drawing her monthly allowance of Rupees 261 from the Taluq Treasury at Arcot up to 30th April 1869, on the production of life-certificates attested by her husband and son, as per enclosed copy of a letter from the Secretary to the Government of India, No. 269, dated Simla, 24th August 1864.

2. As her husband died on the 10th ultimo, she requests that her life-certificates attested by his (her husband's) elder brother Meer Gulam Hussain Saib and her son may in future be accepted, and her allowance paid as heretofore.

3. As the Tahsildar of Arcot reports that there is no objection to Meer Gulam Hussain Sahib's certificate being accepted, I have the honour to request that I may be authorized to continue the payment of the pension on the production of such certificate.

ENCLOSURE 1.—Copy of a letter from the Government of India.

Transferred to the Chief Secretary to Government, Political Department.

2. No papers bearing on the subject of this pension can be traced on the records of this office.

(True Extract).

(Signed) C. S. CROLE,
Actg. Sub-Secretary.

No. 39. ORDER THEREON, 22nd September 1869, No. 292.

Resolved that the Collector of North Arcot be authorized to continue the payment of Shazadee Shah Rukh Begum's stipend of Rupees 261 per mensem, on the production of life-certificates signed by her son, and Meer Gulam Hussain his uncle.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 40. Proceedings of Government, dated 22nd September 1869, No. 293.

Resolved that it be intimated to all officers charged with the payment of political pensions, and to the Accountant General, that the Government desire that no further commutations of such pensions be effected, which may involve charges against the current year's Budget provision for that purpose.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 41. Read the following Proceedings of the Government of India, Financial Department, dated Simla, 10th September 1869, No. 3283.

Read the following :—

Despatch from the Right Honourable the Secretary of State for India, to His Excellency the Right Honourable the Governor General of India in Council ; dated India Office, London, 5th August 1869, No. 162, (Political.)

I have considered in Council, in this Department, the Financial letters of your Excellency's Government, noted on the margin, with enclosed memorials from members or dependents of the Carnatic family, appealing, in each instance, against orders of the Madras Government affecting their stipends.

No. 117, dated 26th May 1869.
,, 119, ,, ,, ,, ,,
,, 130, ,, 7th June 1869.
,, 131, ,, ,, ,, ,,
,, 136, ,, 8th ,, ,,

2. Having carefully weighed the circumstances of each case, as represented by the Memorialists with your remarks thereon, I have to state that I see no ground for questioning the propriety of the decisions at which you have arrived.

No. 1229.

Transferred to the Financial Department.

By order, &c.,
(Signed) C. GIRDLESTONE,
Offg. Under Secy. to the Govt. of India.

SIMLA, FOREIGN DEPARTMENT,
POLITICAL, *2nd September* 1869.

Ordered that a copy of the above be forwarded to the Government of Fort Saint George, with reference to that Government's letters noted in the margin.

No. 78, dated 19th March 1869.
,, 79, ,, ,, ,, ,,
,, 90, ,, 23rd March ,,
,, 111, ,, 9th April ,,

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt. of India.

No. 42. ORDER THEREON, 30th September 1869, No. 294.

Ordered that a copy of the foregoing despatch be furnished to the Government Agent, Chepauk, for communication to Azeem-oo Nissa Begum, daughter of Ruzzia Begum ; to Mahomed Abdool Khalick and Mahomed Abdool Wahab ; to Rahamut-oo Nissa, daughter of Najeeb-oo Nissa Begum ; and to Khader Beg, late a Jemadar of the Body Guard of the Nabob of the Carnatic, with reference to their memorials to the Secretary of State for India, dated the 15th December 1868, 20th August 1868, 3rd November 1868, and 9th March 1869, respectively.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.

No. 43. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort Saint George; dated Trevandrum, 16th September 1869, No. 1204.

Account Department.

I have the honour to transmit, herewith, a bill accompanied by voucher* for the travelling charges incurred by the Officers of the Residency in Travancore, from 13th May to 14th July 1869, amounting to Rupees (466-1-1) four hundred and sixty-six, Anna one, and Pie one; and request that you will be good enough to obtain the sanction of Government to the same being paid from the balance of the current year's budget provision, as noted in the margin.

* No. I.

	RS.	A.	P.
Amount provided for travelling charges in 1869-70	3,500	0	0
Amount taken up; vide Procs. of Govt., No. 243, dated 22nd July 1869	518	3	9
Balance of Budget provision...	2,981	12	3

No. 44. ORDER THEREON, 30th September 1869, No. 295.

With the foregoing letter the Resident of Travancore and Cochin submits a bill of travelling charges, incurred by the Officers of the Residency from 13th May to 14th July 1869, amounting to Rupees 466-1-1, and requests that sanction may be accorded for the payment of the same from the balance of the current year's budget assignment†.

† Rupees 3,500.

2. It appears, however, from the orders of Government, dated the 9th June 1869, No. 199, and 22nd July 1869, No. 243, that a sum of Rupees 5099-13-11 has already been sanctioned during the current year on account of travelling charges, and that the budget assignment has been exceeded by Rupees 1599-13-11.

3. Under these circumstances the Government sanction the payment of the bill for Rupees (466-1-1) four hundred and sixty-six, Anna one, and Pie one, pending the adjustment of the grant later in the year.

(Signed) R. A. DALYELL,
Actg. Secy. to Govt.